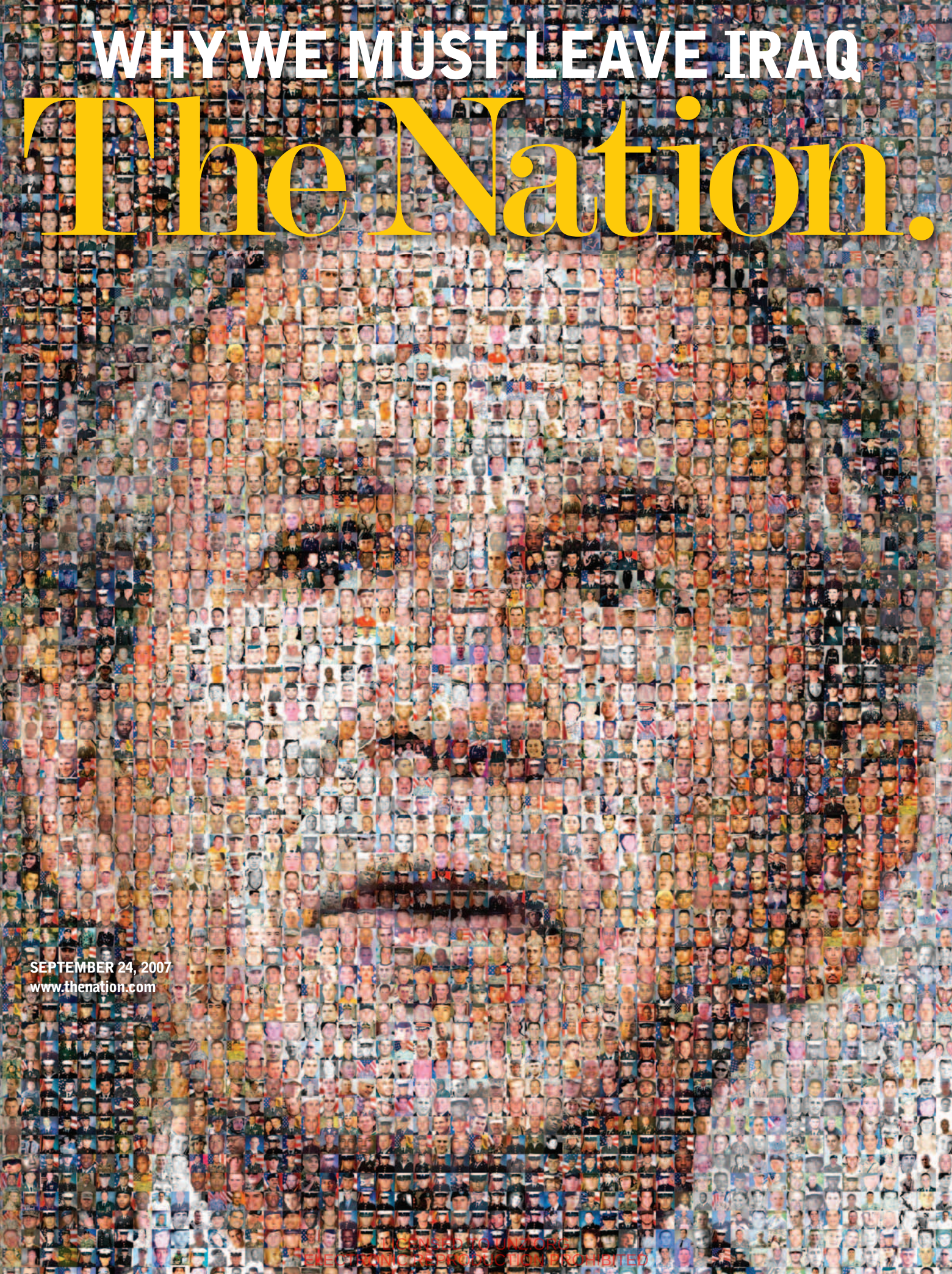
# WHY WE MUST LEAVE IRAQ

# The Nation.



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# LETTERS

CHRISTOPH NIEMANN

## OUR VETERANS HAVE SPOKEN—II

*Arlington, Va.*

■ While I haven't always agreed with *The Nation*, I have long valued its writing, and in fact was a subscriber while serving in Iraq. This makes it all the more disappointing that the lengthy interviews I gave to Laila Al-Arian for "The Other War" [July 30/Aug. 6] resulted in my quotes being taken out of context. It reflects poorly on me personally and makes me question whether Al-Arian and Chris Hedges are guilty of poor analysis or of using my quotes to their own ends.

For example I stated, "I mean, you physically could not do an investigation every time a civilian was wounded or killed because it just happens a lot and you'd spend all your time doing that." That quote was used to illustrate the premise that unjustified shootings of civilians were rampant and almost never investigated. But that was not what I was responding to. I was referring to the fact that civilians mistakenly shot by Americans, clearly in the course of legitimate self-defense, was the overwhelming source of civilian casualties. I made no judgment about whether shootings under questionable circumstances were investigated, because I had such little exposure to such issues. Al-Arian didn't ask me about such circumstances, yet she portrays my statement as if it directly reflects on these types of events. I am not naïve enough to assert that no troops in Iraq have deliberately done wrong. However, I categorically disagree that any of my statements or experiences would support the authors' assertion that there has been a pervasive and chronic trend among US forces in Iraq to deliberately wound and/or kill innocent civilians. JONATHAN MORGENSTEIN

*Captain, US Marine Corps Reserves*

*Venice, Calif.*

■ I, too, was a contributor to this piece. I respect the position of the other contributors and don't deny that in war bad things do happen. But in an effort to disclose *all* truths the following should also be known to readers:

I was personally outraged, appalled and horrified while reading this article—and not because of the alleged findings, the alleged truths that it supposedly uncovered. I was in complete disbelief at how inaccurately my statements were portrayed and how conveniently they were selected to support the thesis of the authors. I suspect that I'm not the only veteran of the fifty interviewed who shares these sentiments. I'm sickened and ashamed to be, in any way, associated with this article.

MEGAN O'CONNOR

*Captain, National Guard*

*Philadelphia*

■ I was one of the veterans interviewed for "The Other War," and I want to say unequivocally that nothing about what I had to say was taken out of context or distorted. I was told exactly what the article was about and the questions were very direct. My interview was taped, as I imagine the others were.

The article never alleged that US troops are intentionally gunning down Iraqis, and I don't know anyone with a drop of sanity who has advanced that idea. The Iraqis know that these things have happened and are still happening. Americans need to know because it's being done in their name. The only way that anyone will be held accountable is for the men and women who have served there to continue to come forward. We need people who can speak plainly and tell the truth even when it isn't popular or easy to hear. My fellow troops in this story should be commended for speaking out. The military needs more people like them.

PATRICK RESTA

*Specialist, National Guard*

*Denver*

■ I am one of the soldiers who contributed to this piece. I have enjoyed reading the varied responses ["Exchange," Aug. 13/20] to this article because that's precisely why I agreed to be interviewed: I wanted to spark a conversation; a dialogue, long overdue. To overcome the polarization that plagues our nation we need to have an open, honest conversation.

Since I've been back from Iraq, I have been very forthcoming with the truth about what I saw and experienced there. I have been labeled "unpatriotic traitor." I take no issue with being called unpatriotic because blind patriotism is part of the reason we got into this mess. I do, however, take issue with being called a traitor.

I am *very* loyal to the men of B Company, 1st Battalion, 18th Infantry Regiment, 1st Infantry Division. I am proud to have served with such a fine, disciplined unit. Our leadership was among the best in the military. Our chain of command inspired us to display integrity, discipline and compassion on every mission. Some of my dearest friends are currently deployed to Iraq (again), and I support them with all of my heart—in honor of that cherished brotherhood that only an infantryman can know. And I continue to stand by my oath to "support and defend the Constitution of the United States," and I love my country deeply. However, all of these loyalties are secondary to my loyalty to *the truth*. And truthfully, in war, bad things happen.

I will not remain silent in order to protect my hero's status, nor will I forfeit my conscience to hide the truth under a shroud of patriotism. I believe the world has a right to hear my story. And I believe it is my duty as an American, a veteran and a man to tell the truth. The fact that I contributed to what history will someday remember as a societal travesty on par with Nazi Germany's Holocaust will torment me for the rest of my life.

I cannot rely on the "only following orders" rationale to offset my guilt, take back my deeds or justify my involvement. So my only choice is to share with others and to be honest. And I hope some of the other guys interviewed in this piece share my motivation. I want our troops to come home now. Instead, we argue among ourselves while our elected leaders are allowed to let politics trump moral reason. Meanwhile, the human cost of this war will continue its deadly toll, the hatred of America will grow and the chances for a lasting peace will fade. Hopefully, the world will forgive us. And that's the truth. TIMOTHY J. WESTPHAL

*Former Staff Sergeant, US Army*

*Sarasota, Fla.*

■ I served with the 1/7th Bravo Company, 1st Cavalry Division in 1967 in Vietnam. I was an infantryman. After reading your issue on Iraq, a flood of memories came to me. One incident that stood out was on a search-and-destroy mission. We were moving through a village and we met with no hostile behavior from these people. We searched their hooches for weapons and found none. During our search we destroyed their animals, stores of rice, peanuts, pineapples, etc. Some of our troops were setting the hooches on fire. My platoon leader was knocking Zippo lighters from the hands of these troops, hollering, "Who told you to do this?" No one told them to—they did it on their own!

We left that village burning to the ground. The women and children were screaming and crying. We destroyed their homes, livestock and food. If they were not our enemy when we entered that village, they certainly were when we left. What kind of mindset allows for this type of behavior? I believe it is partly viewing the enemy as less than human; it is being scared of people who don't look like us or speak the same language. Many of us in Vietnam lost our moral compass. Maybe it is the nature of war? I don't know how to avoid such cruel behavior. Rarely a day goes by that I don't think about these things. My heart hurts for the people of Iraq and for our combat troops.

FRANCIS L. TINER

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# EDITORIALS

## *Why We Must Leave Iraq*

As Congress gathers to hear the reports of Gen. David Petraeus and Ambassador Ryan Crocker, no amount of Administration spin can hide the ugly reality in Iraq. A surge that should never have been tried and that could never have succeeded has predictably failed. While violence in some parts of Baghdad has declined to June 2006 levels, the number of deaths from political violence has increased in Iraq as a whole. Ethnic cleansing has proceeded apace, and the humanitarian catastrophe, already staggering, has worsened. Some 2.5 million Iraqis are now refugees in neighboring countries. Another 2 million are internally displaced. And despite Bush Administration claims to the contrary, most of Iraq's cities and towns still lack regular electricity, sanitation and other basic services, and suffer from economic depression. Up to half of Iraqis are unemployed.

The stated purpose of the surge was to create enough security in and around Baghdad to give Iraqi politicians breathing room to pursue reconciliation. But with the exception of some very minor recent concessions on de-Baathification, the Shiite-led government has stuck to positions that have prevented most Sunnis from participating in the government. Moreover, it is increasingly difficult to speak of an Iraqi government that has power or authority outside Baghdad's Green Zone. Real power resides with the militias on the ground, which are competing for resources and influence throughout much of Iraq. Even within the Green Zone, some seventeen ministries have withdrawn their support from the government and increasingly act as independent fiefdoms handing out resources to loyal constituents.

The surge has done nothing to change this—in large part because the United States, despite its sizable military and substantial economic largesse, is powerless to coerce or cajole change in the centers of power. Any gains the surge has produced may be gone tomorrow, like a footprint washed away by the tide.

The surge has thus been a cruel hoax on the American people and on our servicemen and -women (more than 600 of whom have been killed and 4,000 injured since the surge was announced). It is yet another Administration bid to stave off public pressure to withdraw and thus to avoid admitting failure. This irresponsibility—this morally indefensible sacrifice of American and Iraqi lives in pursuit of unachievable goals—must end. The Iraq War has long been lost, and it is time to bring it to a close. We continue to believe that a complete withdrawal of US forces, carried out as quickly as possible, is the best course of action for the United States, Iraq and the region.

The question before Congress and the nation should not be whether to give the surge more time but how best to end the occupation. So far the Administration has been able to thwart Congressional efforts to force a withdrawal—first with the surge and now with its dire warnings of a disaster in store for Iraq, the region and US interests if we withdraw. Also troubling, several Democratic presidential candidates seem to have bought into these worst-case scenarios and have begun to slow their timetable for withdrawal, adding new conditions for a pullout. Some are even calling for keeping a sizable residual force in Iraq or neighboring countries indefinitely. Congress must resist White House claims about the surge's "success" and deny additional funds for the occupation, instead pursuing reconciliation and reconstruction, at home and abroad. As the Administration presses its PR offensive for an extended surge and open-ended occupation, it is critically important that we let our representatives know we're fed up with the war and want the troops home—now. Otherwise, Congress is unlikely to buck White House pressure.

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Those who support a residual US force in Iraq argue that a complete withdrawal would hamper our ability to deter Al Qaeda attacks, sectarian atrocities and regional war. We believe that any good accomplished by a residual US force would be outweighed by the harm it would do.

Consider the question of Al Qaeda in Mesopotamia, which at most has a few thousand fighters. Local Sunni groups tolerated them in the past because they were allies against the occupation. Now that the Sunni tribes expect a US withdrawal, they have begun to turn against Al Qaeda. And if the Sunnis aren't able to eliminate the jihadis, the Shiites and the Kurds will, with the blessing if not the outright help of neighboring countries like Syria, Turkey and Iran, which do not want Al Qaeda to gain a foothold in the area. And as regional expert Flynt Leverett has pointed out, conventional ground troops are useless for counterterrorism missions. A residual force in Iraq (or in neighboring Kuwait) would further inflame popular opinion against the United States in the Arab and Muslim worlds and be a boon to jihadi recruitment.

As for intervening to stop sectarian atrocities, US military forces in much larger numbers have not been able to stop the violence that has claimed nearly 2,000 Iraqis a month or to prevent the ethnic cleansing that has displaced millions. It is not clear why a smaller force would be any more effective. The sad fact is that much of the ethnic cleansing has already taken place—on our watch. To be sure, a US withdrawal may lead to an intensification of the civil war, as different factions make a grab for power. But stability among these factions can be established only after a US withdrawal. Indeed, any US forces will be destabilizing because one group or another will try to draw them into the battle on their side. Only after we commit to a complete withdrawal will there be any hope of international mediation and a lasting settlement based on a balance of forces not subject to US favoritism and power maneuvers, suspected or real.

As to the concern that a complete withdrawal will lead to regional war, as different countries intervene in Iraq's civil war: This is a naïvely self-centered view of the Middle East and its problems. For all its democratic and human rights shortcomings, the region is resilient and capable of managing conflict. It survived fifteen years of civil war in Lebanon and almost a decade of brutal war between Iran and Iraq. It will survive the withdrawal of US forces from Iraq. It was the Saudis and Syrians who in 1989 brokered an end to the war in Lebanon, not us. And Iran, Syria and Saudi Arabia have the greatest stake in keeping the Iraqi conflict contained and therefore can be counted on to control their allies in Iraq once US forces withdraw.

More important, a commitment to a complete US withdrawal would open the way for international mediation and peacekeeping efforts, under the auspices of the United Nations, the Arab League or the Organization of the Islamic Conference. Indeed, it may be the only way to develop a regional concert of powers that can work with Iraqis to stabilize the country and control the conflict. Only by removing US forces and ending all claims to permanent bases can Washington increase the possibility that other countries will assist Iraq. The best way to prevent regional destabilization is to refocus our regional efforts and help Iraq and its neighbors cope with the humanitarian crisis we helped create. We

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can begin by helping to organize assistance for Syria, Jordan and Lebanon to resettle their Iraqi refugees. We can press Gulf countries like Kuwait and Saudi Arabia not to buy US weapons and host US troops but to open their doors to their Iraqi neighbors. And we can talk with Syria and Iran about our common interest in an Al Qaeda–free region instead of threatening to overthrow their governments.

Not only is withdrawing from Iraq in our national interest; it is also the moral, responsible thing to do. There is one way to atone for our illegal invasion and reckon with the human catastrophe our occupation has caused: End the occupation and abandon the pretense that only American power can bring order and democracy to the region. Then there will be a fair test of the Iraqis' willingness to settle their differences and of the international community's ability to assist them. And then we will be able to prove our nonimperial claims and play a constructive role in the region and world.

# *Reaganites Reconsider*

History is littered with onetime revolutionaries who grew disillusioned as they watched events snowball into something they'd never intended. In the 1980s the Reagan Revolution brought a new generation of Republican legal activists to Washington determined to help the President reshape the nation in his conservative vision and to overcome the main obstacle to his agenda: Democrats in Congress. Many of these ideologically committed lawyers found jobs in the Justice Department, which—especially after 1985, when Edwin Meese took over as Attorney General—actively sought innovative legal theories and tactics to help Reagan achieve his policy ends unilaterally. The tools for expanding presidential power they developed two decades ago were taken up by the George W. Bush Administration, which has wielded them in far more aggressive ways than their inventors imagined. Now several of the most important veterans of the Reagan Revolution say the Bush team has gone too far.

One novel strategy pushed by the Reagan legal team was frequently issuing signing statements—official documents from the President laying out his interpretation of new laws. During Reagan's second term, the Justice Department's Office of Legal Counsel proposed making this previously rare device into a routine tool in order to increase the President's power over the law. The office was then headed by Douglas Kmiec, now a law professor at Pepperdine University. Years later, the use of signing statements would take a second exponential leap. Bush has used the device to challenge the constitutionality of more new laws than all previous Presidents combined—most of them checks on his own power—while going nearly six years before vetoing a bill. Surveying this development, Kmiec last year joined a chorus of critics who said the Administration's legal team was misusing signing statements. Kmiec acknowledged the Reagan team's role in inflating the mechanism, but he insisted that they had used signing statements only for a much more modest purpose: to leave a record of the President's understanding of ambiguous laws for judges to consult during any future litigation. Kmiec rejected Bush's practice of using signing statements to instruct the executive branch to contradict the clearly expressed will of Congress, saying that a President instead ought to veto laws he dislikes. "Following a model of restraint, [the Reagan-era Office of Legal Counsel] took it seriously that we were to construe statutes to avoid constitutional problems, not to invent them," Kmiec told me. He added, "The President is not well served by the lawyers who have been advising him."

The creative minds of the Reagan legal team are also responsible for inventing the "unitary executive" theory, which argues that it is unconstitutional for Congress to pass laws that fracture the President's control of executive power. One of the most important Reagan lawyers to develop the theory was Steven Calabresi, a co-founder of the Federalist Society who joined the Justice Department in 1985 and—despite a Supreme Court ruling that decisively rejected the theory in 1988—went on to spend his career writing scholarly articles about it. Now a law professor at Northwestern University, Calabresi has watched with astonishment as the Bush legal team has invoked the unitary executive theory when claiming that the executive branch is beyond the reach of Congressional regulation across a whole range of matters related to foreign affairs and national security. Citing the theory, the Bush team has asserted, for example, that military and CIA interrogators should obey the instructions of the Commander in Chief, not anti-torture statutes enacted by Congress, when questioning prisoners. Calabresi said he does not recognize the unitary executive theory as Bush is using it; the Reagan team, he said, was focused on comparatively tame issues, such as whether Congress should be able to give agencies like the Federal Reserve total independence from the White House. When I interviewed Calabresi in January while researching a book on executive power, he told me that the extra leaps in legal logic that the Bush team has undertaken to enhance the theory are "very debatable." He added that he is "troubled" by several of the Administration's related assertions of unchecked presidential authority, including its imprisonment of US citizens without charge and its determination to prosecute terrorism suspects before military commissions instead of life-tenured judges. The presidency's powers "are not nearly as sweeping as have been asserted by this Administration," Calabresi said.

To be sure, Kmiec and Calabresi remain staunch conservatives and have defended other Bush policies. But they are not the only Reagan-era veterans to find themselves breaking with the Bush legal team. Robert Turner, a political appointee who worked in Reagan's White House and State Department, told me that he believes a recent Bush executive order setting rules for CIA interrogations was deliberately written to allow war crimes. Reagan's FBI Director, William Sessions, has condemned Bush's warrantless wiretapping and his expanded use of signing statements, and he recently wrote in a pointed newspaper op-ed that "we cannot forget that our country's Framers intended that no single person would have complete and unilateral control over our government." Bruce Fein, a Reagan Justice Department official who also worked for the Congressional staff helping Representative Dick Cheney defend the White House during the Iran/*contra* scandal, has pilloried the Bush Administration over its power grabs and called for Vice President Cheney to be impeached for

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COMMENT

"his sneering contempt of the Constitution and the rule of law." The list goes on.

It should come as no surprise that some Reaganites are critical of the sweeping new powers that Bush has asserted: Though it seems almost quaint to note, conservatives are supposed to be suspicious of concentrated government authority. But like many disenchanted former rebels, it is also rare to find a conservative willing, even privately, to consider whether the largely GOP-driven post-Watergate project to expand presidential power may have contained flaws from the beginning, rather than just having recently gone astray. Yet the National Archives houses evidence that at least some on the Reagan team privately expressed worries about what might happen. On April 30, 1986, Meese received an eighty-page, collectively written Justice Department report on executive power. Most of the document urged a redoubling of the now-familiar tactics for increasing unchecked White House authority. But almost lost amid the battle cries, one anonymous contributor cautioned that the short-term political contingencies might be clouding their thinking about the importance of maintaining time-honored checks and balances. "Conservatives traditionally have valued separation of powers because it operates to limit government," the report pauses to note. "However, some conservatives now are also finding separation of powers frustrating because it is sometimes an obstacle to the conservative political agenda, thereby serving to preserve the liberal status quo. They are thus inclined to make an exception to their usual respect for separation of powers and advocate a very strong president—primarily for the practical reason that an activist conservative currently sits in the White House, and they fear he may be the last."

In 1986 this expression of quiet caution was drowned out by riotous insurgent fervor. Today, with the policy debates of the 1980s a fading memory and more and more ex–Reagan Revolutionaries rediscovering the virtues of traditional constitutional limits on presidential power, the unknown Cassandra who penned that prophetic warning two decades ago must be thinking: Better late than never.

CHARLIE SAVAGE

*Charlie Savage, the national legal affairs correspondent for the* Boston Globe*, won the 2007 Pulitzer Prize for national reporting. He is the author of* Takeover: The Return of the Imperial Presidency and the Subversion of American Democracy *(Little, Brown).*

CALVIN TRILLIN

## Family Values Agenda

Republicans are not complex.
Their interests are quite simple: sex.
Take Newt and Rudy. They have drives
For sex with those who aren't their wives.
For them adultery's just dandy.
(Republicans are always randy.)
Those Foley e-mails! He enjoys
Some pinch and tickle with young boys.
There's Vitter keeping girls on call
And Craig tap-tapping in a stall.
They like it smooth, they like it rough.
Republicans can't get enough.

# *Beyond 'Green Shopping'*

Scientific studies abound on the devastating realities of climate chaos, an imminent "peak" of world oil supplies and a grim future for clean water, forests, fisheries and soil. The response of most politicians and corporations is that new technologies and "green consumerism" will solve the problems: Innovate and shop to save the planet. The Bush Administration is showering the technologies with money: subsidies to develop "clean coal" via carbon sequestration, proposed subsidies for "clean" nuclear energy and—the big one—massive subsidies to global agribusiness to promote biofuels. Each is deeply flawed.

"Clean coal" depends on technologies that optimists say are two decades away, if ever. But it's not only emissions from coal that are problematic. There's also the mining. In Appalachia, more than 500 mountaintops have been blown off to uncover the coal inside, with the toxic waste dumped into local rivers. In what used to be glorious, forest-covered West Virginia, you have a poverty-stricken population suffering from toxic poisoning. The Bush Administration issued a regulation in late August that allows mountaintop removal to expand. As for "clean" nuclear power, probably the plan is to sequester the radioactive waste, together with sequestered carbon, in the poorest regions.

And regarding the mega-panacea, biofuels, Bush says he wants to see 35 billion gallons of auto fuel from bio-agriculture within ten years. He's pushing subsidies nearly equal to those funding the Iraq War. As for the opposition, Barack Obama, Hillary Clinton and most other presidential candidates are falling right in line. And Speaker of the House Nancy Pelosi is supporting Bush's plan to subsidize the likes of Archer Daniels Midland, Monsanto and Cargill. These companies no longer advertise how they're "feeding a hungry world"; now they're addressing climate change: converting US farms to corn for ethanol, not food. They're also building agrofuel plantations in poor and indigenous areas of South America, Asia and Africa, displacing thousands of farmers.

The global land grab is necessary because it takes 450 pounds of corn to make enough ethanol to fill one tank of gas in an SUV. To try to use corn ethanol to replace even 10 percent of the fossil fuels used globally would require finding new or converting agricultural lands equal to about half the area of the United States. So the land rush is on, prices are up and small growers are priced out. Feed cars, not people—that's the twenty-first-century ad slogan.

Other corporations are getting on the consumerism bandwagon, with power, auto and chemical companies promoting "green" ideas. The website Climate Cooler has the slogan "the smarter you shop the cooler it gets." The idea is, You buy jeans or

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# An Urgent Call by Scientists to: DEFEND SCIENCE!

***In the U.S. today science, as science, is under attack as never before.***

THE SIGNS of this are everywhere. The attacks are coming at an accelerating pace, and include frequent interventions by powerful forces, in and out of the Bush Administration, who seem all too willing to deny scientific truths, disrupt scientific investigations, block scientific progress, undermine scientific education, and sacrifice the very integrity of the scientific process itself — all in the pursuit of implementing their particular political agenda.

AND TODAY this dominant political agenda is profoundly allied and intertwined with an extremist (and extremely anti-science) ideological agenda put forward by powerful fundamentalist religious forces commonly known as the Religious Right. These fundamentalists now have extensive influence and representatives in major institutions of the U.S. government, including Congress and the White House. This itself goes a long way towards explaining why science itself is under such unprecedented attack.

IT IS COMMONPLACE under the current administration for the government to deny funding, censor scientific reports, or in other ways undermine scientific research which might turn up facts they don't want to hear; to manipulate, distort, or outright suppress scientific findings they find objectionable; to attempt to reshape government scientific panels to obtain policy recommendations on issues ranging from health to the environment, based less on actual scientific findings than on the requirements of the administration's agenda.

THE SITUATION is so serious that more than 6,000 scientists have already signed the "Restoring Scientific Integrity" statement of the Union of Concerned Scientists, which denounces the Bush Administration for "abuse of science"; and *Scientific American* published an editorial under the title: "Bush-League Lysenkoism: The White House Seeks to Bend Science To Its Will."

GENUINE SCIENCE never proceeds from, or uses as its starting point, any set of subjective "beliefs," "opinions" or "faith-based edicts" handed down by religious or secular authorities and proclaimed to be beyond human questioning, testing and investigation. To bring into the scientific process assumptions, religious or otherwise, which were not arrived at by scientific methods, and which by definition cannot be tested by scientific methods, would destroy science as science.

IN CONCLUSION: We must refuse to accept a situation where scientific inquiry is blocked or its findings ruled out of order unless they conform to the goals of the government, to corporate interests and to the ideology of religious fundamentalists; where dogma enforced by governmental and religious authority takes the place of science; where the scientific approach of seeking natural explanations for natural phenomena is suppressed.

WE MUST INSIST on an atmosphere where scientists are allowed to seek the truth, even when the truth conflicts with the views and policies of those in power, and where the scientific spirit is fostered; where science education and the popularization of the scientific method are valued; where people are encouraged to pursue an understanding of how and why things are the way they are; where all that has been learned by humanity so far, all that has repeatedly been tested and found to be true, serves as the starting point for further investigation of reality.

**IT IS UP TO US. IT IS TIME TO TAKE A CLEAR AND DECISIVE STAND IN DEFENSE OF SCIENCE. THIS IS OF CRUCIAL AND URGENT IMPORTANCE NOT ONLY FOR SCIENTISTS, BUT FOR PEOPLE THROUGHOUT SOCIETY, FOR HUMANITY AS A WHOLE AND FOR OUR FUTURE.**

Over 2,000 signatories, including 13 Nobel laureates and over 100 members of the National Academy of Sciences, have signed the complete Defend Science Statement to date.

To take up the challenge to defend science, to read and sign the entire Defend Science Statement and see the complete list of signatories, and to support our efforts for further publication of the Statement to reach the public broadly, please go to: **http://www.defendscience.org**.

You can email us at **mail@defendscience.com**
or write to us at: Defend Science, 2124 Kittredge St., #182, Berkeley, CA 94704.

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COMMENT

dozens of other things, and some of your money goes to Environmental Defense and other do-gooders, who plant enough trees to offset the greenhouse gases created in making the products. It's carbon trading through shopping. Eco-conscious families are turning up with two, three, many Priuses, so every member of the family can help save the planet. Hybrids do use less fuel, but that's not the best way to assess hybrids ecologically. Where did all the materials come from? The nickel used in Prius batteries, for example, comes from mines that are responsible for the devastation of a huge swath of Ontario. Other key scarce materials come from Africa, South America and Asia. How much energy is used to mine, process, ship across oceans and build all the parts for the car and then assemble it—and under what labor conditions?

In fact, a new scientific discipline is gaining speed, particularly in Europe. Called "life-cycle assessment," it examines all the processes and materials that go into a product, "from dust to dust," to gain a true picture of its environmental footprint. In environmental terms, the best choice is not the new hybrid or any new car, but a good used car. Or no car at all.

Sorry, but shopping, even "smart" shopping, is not our way out of the crisis. All that stuff is made of something scarce that came from the Earth, and it took scarce energy to put it together. Overconsumption, corporatism, advertising, the drive for growth and profit—those are the roots of this crisis. Real solutions begin with recognition that the Earth has limits that are now in plain sight. Ultimately all solutions will involve "powering down," using less energy, fewer materials—less consumerism. "Less and local" should be the standard, as well as deeply rethinking whether we can afford a system based on growth and wealth accumulation rather than sustainability, sufficiency and equity.

On the point of equity, the key question is, How can we make the shift to less resource consumption while recognizing that many places do not now have enough, because of centuries of theft by industrial nations? There will never be a permanent solution to these mega-problems without a good plan for wealth transfers to correct imbalances and achieve equity both within nations and among them. Far-reaching debt cancellation would be a start. And global agreements on water rights and reduced oil consumption can help jump-start the shift from global to local.

Great crises also bring great opportunity. That's the impetus for a Washington teach-in, September 14–16, sponsored by the International Forum on Globalization, the Institute for Policy Studies and The Nation Institute. The focus will be on separating real from false solutions and raising basic questions: Can we assume a future that is like the present? Are export-oriented growth economies doomed, given the unsustainable costs of transport? Can renewable technologies keep our industrial system functioning at its current level? Can technology fix these problems? Is equity achievable? Can our industrial system survive in a resource-depleted world? If not, is that bad? And what's Plan B? Sixty speakers from all continents will offer their thoughts. Check it out at www.ifg.org. JERRY MANDER AND JOHN CAVANAGH

*Jerry Mander, co-director of the International Forum on Globalization, and John Cavanagh, director of the Institute for Policy Studies, are co-editors of* Alternatives to Economic Globalization.

# *Patriot Act's Wide Net*

By the time a US District Court judge in Oregon sentenced the last of ten convicted eco-arsonists in August, federal prosecutors had long touted the case as evidence of bold progress in the "war on terror." The Justice Department called the Earth Liberation Front "the top domestic terrorism" threat when it announced the indictment of alleged members in December 2005. Their crimes: torching such things as a Vail ski lodge, SUVs and a wild horse slaughterhouse in Oregon. Federal prosecutors repeatedly invoked terrorism during court hearings. And the Justice Department claimed it had stopped a "broad campaign of domestic terrorism" after seven of the ten defendants were designated terrorists by the court.

How could crimes committed before September 11—crimes that would normally qualify for routine felony sentences—become terrorism after the fact? Simple: Alberto Gonzales's Justice Department applied the USA Patriot Act retroactively, disregarding the Constitution's prohibition of such maneuvers. In particular, prosecutors invoked post-9/11 sentencing guidelines that say a criminal defendant can be designated a terrorist if a judge is persuaded that the crime was intended to coerce, influence or intimidate the government. Defense attorneys protested the terrorism enhancement as unnecessarily punitive, pointing out that the defendants would be unable to get passports, bank accounts, driver's licenses or decent jobs once they left prison. Civil libertarians, meanwhile, noted that once the terrorism penalty was successfully stretched to apply to the accused vandals in this case, it could readily be used against people engaged in mild civil disobedience, from longshoremen instigating a slowdown at a government port or members of Plowshares pouring blood on a nuclear missile silo.

Federal prosecutors insisted that they used the "terrorist" label only to insure that the accused would receive tough sentences. But if that was the only concern, there would have been no need to apply the Patriot Act retroactively. All but two defendants faced mandatory life sentences under a little-used statute prohibiting transportation or possession of an incendiary device. (In the end, complex plea bargains produced sentences ranging from three to thirteen years.) In truth, this is a numbers game. The Justice Department can claim seven more convictions when it makes its mandatory annual report to Congress on domestic terror. Considering how many of the much-ballyhooed terrorism prosecutions have faltered in court, more convictions are a pressing need.

There's no doubt that the defendants committed serious crimes. There's also no doubt there were ways to mete out appropriate punishment without twisting the law. There are two casualties in this rush to pad the Bush Administration's score in the "war on terror": its credibility and our faith that every citizen is still afforded constitutional protection from unjust punishment. The former is no surprise. The latter is worth mourning, even for defendants whose acts we scorn. KEN OLSEN

*Ken Olsen, a journalist and author, writes about politics, government and environmental issues across the American West.*

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ALEXANDER COCKBURN

# Will the US Really Bomb Iran?

"They're about taking out the entire Iranian military." This particular spine-chiller comes from Alexis Debat, excitingly identified as "director of terrorism and national security" at the Nixon Center. According to Debat, the big takeout is what the US Air Force has in store, as opposed to mere "pinprick strikes" against the infamous nuclear facilities.

Predicting imminent war on Iran has been one of the top two items in Cassandra's repertory for a couple of years now, rivaled only by global warming as a surefire way to sell newspapers and boost website hits.

Debat was re-roasting that well-scorched chestnut, the "shock and awe" strategy, whereby—back in March 2003—the Air Force proposed to reduce Iraq's entire military to smoldering ruins. "Shock and awe" was a resounding failure, like all such pledges by Air Force commanders to destroy the enemy's military since the birth of aerial bombardments nearly a century ago. Such failures have never stopped the Air Force from trying once again, and there are no doubt vivid attack plans now circulating in government.

Will it come to pass? In his memoir *I, Claud* (which I'm happy to say CounterPunch Books/AK Press will be republishing in January), my father offers a useful recipe on this matter of prediction:

> As we at length relaxed at breakfast by a brazier on the terrace of the Café du Dôme, he [Robert Dell, the diplomatic correspondent of the *Manchester Guardian*] said to me: "Do you want to get what used to be called a 'scoop' for your horrid little paper every day?" (The "horrid little paper" was, of course, the *Daily Worker*, whose diplomatic correspondent I then was.)
>
> "That would be nice."
>
> "Well then, all you have to do is to read all the continental papers available every morning, take lunch with one or more of Europe's leading politicians or diplomats, make up your mind what is the vilest action that, in the circumstances, the French, British, Italian or German government could undertake, and then, in the leisure of the afternoon, sit down at your typewriter and write a dispatch announcing that that is just what they are going to do. You can't miss. Your news will be denied two hours after it is published and confirmed after twenty four."

So, whether in twenty-four hours or twenty-four days or at some point before the end of Bush's term, we should predict he will send the bombers on their way to Tehran to destroy the usual targets—power stations and kindred civilian infrastructure, hospitals, maybe a few bomb shelters crammed with women and children.

But will it really come to pass?

Despite the unending stream of stories across the months announcing that an attack on Iran is on the way, I've had my doubts. Amid the housing slump here, with the possibility of an inflationary surge as the credit balloon threatens to burst, would the government really want to see the price of gas at the pump go over $5? What would Hugo Chávez do? Even a hiccup in flows from Venezuela would paralyze refineries here, specifically designed for Venezuelan crude. China has a big stake in Iran. It's also Uncle Sam's banker. The Chinese don't have to destroy the dollar, merely squeeze its windpipe or revalue their currency enough to double retail prices at Wal-Mart. The Republicans and the presidential candidates wouldn't want that on the edge of an election year.

The Joint Chiefs of Staff know the Iraq War has almost broken the US Army. Wouldn't they adamantly oppose the notion of an attack on Iran, which would see Shiite resistance groups in Iraq cut US supply convoys from Kuwait bringing fuel and water to the big US bases? Wouldn't Shiite forces as a whole finally commence a campaign of eviction of the American occupier? Wouldn't this puncture the fantasy that General Petraeus's "surge" is working?

The other side of the ledger isn't hard to fill in either. The Chinese are a prudent lot and don't want to rock the world economy. Politically, both they and the Russians would like to see the United States compound the disaster in Iraq and get into a long-term mess in Iran. Sarkozy has finished off Gaullist independence. France has clambered into Uncle Sam's hind pocket and David Miliband, the British foreign secretary, has confirmed Britain's continued residence in an adjacent aperture. Israel wants an attack on Iran, and the Israel lobby calls the shots in US foreign policy. What Israel wants, Israel gets. The American peace movement is in disarray, and sizable gobbets of it would be delighted to see bombs shower down on the woman-hating ayatollahs and Ahmadinejad, the Holocaust denier. With the United States battering the Iranian sponsors of the Shiites, the Sunnis in Iraq would further abate their attacks, seeing a chance to recoup from the disaster of the elections of early 2005, which put the Shiite-Kurdish coalition in charge.

Amid the disaster of their Middle Eastern strategy Bush and his advisers may hype themselves into one last desperate throw. The selling of the surge has been a success, even though all the Democrats need to do is cite the United Nations, which says the number of Iraqis fleeing their homes has gone from 50,000 to 60,000 a month. Or quote the Associated Press, which counted 1,809 Iraqi civilians killed in August, compared with 1,760 in July. In past years, these very hot summer months have seen a lull in resistance activity. The Sunni split in Anbar province is not likely to be replicated in Baghdad or elsewhere and anyway had nothing to do with the hike in US troop levels. Bush didn't dare go to Baghdad last week.

Weigh it all up, and you'd be foolish to bet that an attack on Iran couldn't happen. The peace movement had better pull itself together, remembering as it does so that should the bombs start to fall on Tehran, most of the Democrats in Congress will be on their feet, cheering. ■

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KATHA POLLITT

# Onward, Secular Soldiers

An amazing thing has been happening here in God's own country: For the first time in living memory, religious skepticism is hot. In the past two years a whole slew of atheistic polemicists—Sam Harris, Richard Dawkins, Daniel Dennett, Christopher Hitchens—have been on or near the bestseller list, speaking to packed houses, debating the faithful with no holds barred. It's no mystery why these writers are doing so well even though there haven't been any new arguments against the existence of God since around 1795. Seven years of Bush shoving born-again Christianity down everyone's throat have sickened and disgusted a lot of us members of the reality-based community. We look with dismay at a country where pharmacists refuse to fill birth-control prescriptions, where teaching evolution is controversial and where more than a hundred million taxpayer dollars go to the religious scam known as abstinence education. We always suspected that the televangelists and right-wing family-man politicians were protesting too much, and—thank you, Ted Haggard, David Vitter, Larry Craig!—now the whole country can see we were right. It's one thing to show respect for religious belief in the context of social tolerance in a pluralistic society—freedom of speech, separation of church and state, live and let live—but when Christians make faith a matter of public policy, it becomes hard to explain why nonbelievers should be deferential. If I wanted to live in a theocracy, I would move to Tehran.

You would think that the left would savor this new, muscular secularism. But that's not what has happened. In the progressive media, the atheist bestsellers have gotten a lukewarm reception. Writers continue to blame leftists' and liberals' lack of respect for God for the rise of evangelical Christianity, the triumph of the Republican Party, the conservative impulses of the working class and the general failure of events to turn out as we would like. Just what this respect is supposed to involve is never spelled out: behaving nicely to the religious people we know? supporting certain religion-inflected policies? becoming religious ourselves? There's something both grandiose and masochistic in all this breast-beating. We're far too few in number to have so huge an effect. I'll bet most right-wing Christians have never even seen a copy of *The Nation*. We might as well just say what we think. Besides, a huge percentage of us are Jewish! If we found "faith" we'd be brushing up on our Hebrew, not accepting Christ as our personal savior or filling up the pews at Our Lady of Sorrows. From the right-wing Christian point of view, we'd still be suspect, alien and bound for hell. That leftists themselves have a God-shaped hole in their souls strikes me as most unlikely. On the last two *Nation* cruises, an imperfect barometer I realize, sessions on spirituality and the left were met with resounding atheistic/agnostic reaffirmations.

Politicians don't get it either. Republican candidates compete over who can deny evolution most firmly. As for Democrats, Oh Democrats! Who said this: "You need to embrace Christ precisely because you have sins to wash away—because you are human and need an ally in this difficult journey." I need to embrace Christ, Senator Obama? I don't think so! Or how about this: "We are all sinners. We all fall short, which is why we have to ask for forgiveness from the Lord." Speak for yourself, John Edwards.

As these remarks suggest, the Dems have decided that respect isn't enough. "It has to be authentic," Mara Vanderslice, Democratic consultant and evangelical Christian, told CNN. "This is not about Jesus-ing up the party, so to speak.... It just won't work if it's seen as a cynical ploy." Right: Make it a sincere ploy. Don't be like poor Howard Dean claiming Job was his favorite book of the New Testament—which, come to think of it, would have been a clever Jewish joke, if Dean was Jewish. Hire faith-friendly outreach consultants, liaisons and gurus; show up at the Sojourners' Forum on Faith, Values and Poverty to get Jim Wallis's blessing; and most of all talk about your deep, intimate, personal belief in God—better yet, Jesus—as often as you possibly can. Coriolanus had to show his wounds in the marketplace, and you, Democratic presidential hopeful, have to publicize your spiritual life going all the way back to Sunday school. But at least Coriolanus had the sense to be embarrassed. Is John Edwards embarrassed to answer such interview questions as, "In what ways do you feel God is happiest with you right now?" As for Hillary Clinton, it's bad enough that she actually supports faith-based initiatives and—something I very much doubt Jesus would do—lobbied for Bill Clinton's crime bill, which expanded the death penalty. Do I really need to know that she prays that God will help her lose weight? Kudos to Dennis Kucinich and Joseph Biden, who have refused to discuss their relations with the deity.

It's fine with me if a candidate believes in God. Unlike some militant atheists, I don't think it matters for public policy that Obama believes Christ absolves his sins, or that Hillary Clinton hopes God has time to help her pass up dessert. We all believe weird things. My parents, for instance, believed for decades that the Moscow show trials were legit. But all this wearing of religious faith on the political sleeve is a huge pander, and lacking in dignity besides. Next they'll be talking about how their marital troubles have made their marriages stronger than ever. Oh wait, they already do that. Message to the progressive community: There are more of us secularists, skeptics, atheists and agnostics out here than you think. How about sending a little love our way, for a change?

* * *

On another subject entirely, Random House has just published my new book, *Learning to Drive and Other Life Stories*. It's a collection of personal essays, only two of which have been previously published (in *The New Yorker*), about love, sex, betrayal, motherhood, divorce, proofreading pornography and the decline and fall of practically everything, including myself. ■

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ARTICLES

# WHY WE'RE LOSING THE WAR ON TERROR

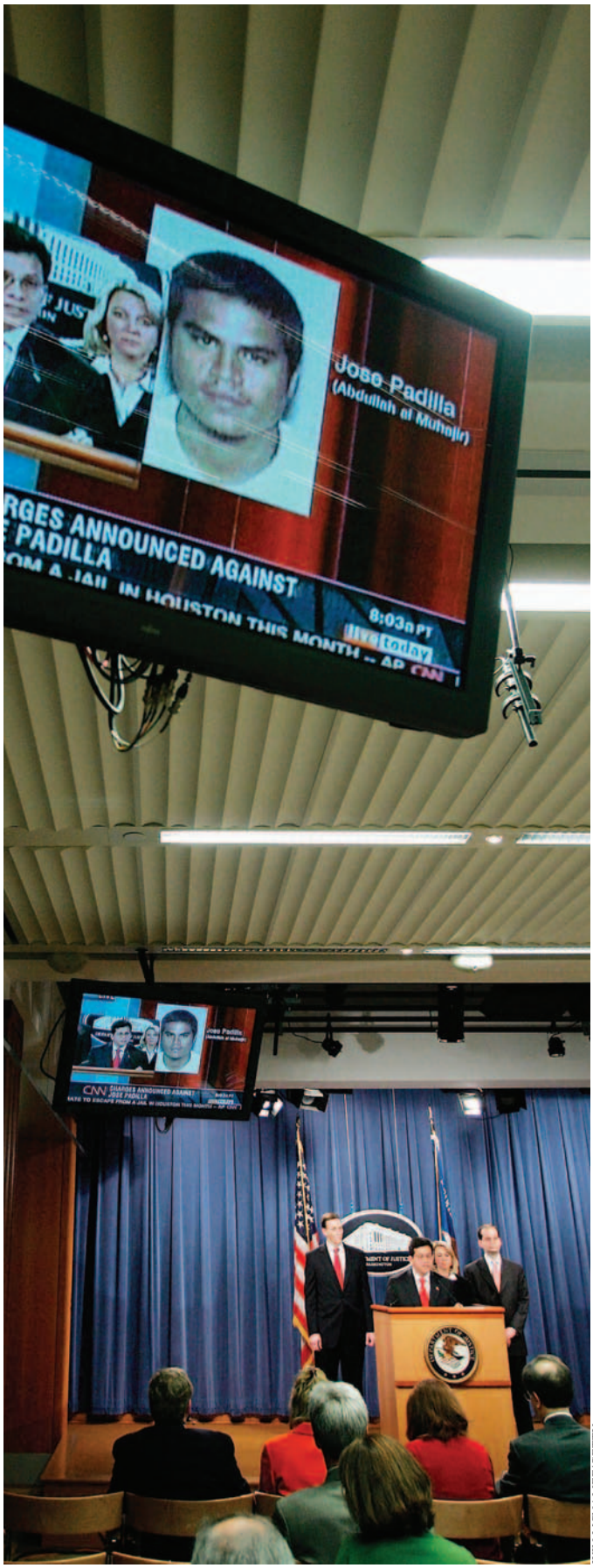
DAVID COLE AND JULES LOBEL

President George W. Bush is fond of reminding us that no terrorist attacks have occurred on domestic soil since 9/11. But has the Administration's "war on terror" actually made us safer? According to the July 2007 National Intelligence Estimate, Al Qaeda has fully reconstituted itself in Pakistan's northern border region. Terrorist attacks worldwide have grown dramatically in frequency and lethality since 2001. New terrorist groups, from Al Qaeda in Mesopotamia to the small groups of young men who bombed subways and buses in London and Madrid, have multiplied since 9/11. Meanwhile, despite the Bush Administration's boasts, the total number of people it has convicted of engaging in a terrorist act since 9/11 is one (Richard Reid, the shoe bomber).

Nonetheless, leading Democratic presidential candidate Hillary Clinton claims that we are safer. Republican candidate Rudy Giuliani warns that "the next election is about whether we go back on defense against terrorism…or are we going to go on offense." And Democrats largely respond by insisting that they, too, would "go on offense." Few have asked whether "going on offense" actually works as a counterterrorism strategy. It doesn't. The Bush strategy has been a colossal failure, not only in terms of constitutional principle but in terms of national security. It turns out that in fighting terrorism, the best defense is not a good offense but a smarter defense.

"Going on offense," or the "paradigm of prevention," as then–Attorney General John Ashcroft dubbed it, has touched all of us. Some, like Canadian Maher Arar, have been rendered to third countries (in his case, Syria) to be interrogated by security services known for torture. Others have been subjected to months of virtually nonstop questioning, sexual abuse, waterboarding and injections with intravenous fluids until they urinate on themselves. Still others, like KindHearts, an American charity in Toledo, Ohio, have had their assets frozen under the USA Patriot Act and all their records seized without so much as a charge, much less a finding, of wrongdoing.

In the name of the "preventive paradigm," thousands of Arab and Muslim immigrants have been singled out, essentially on the basis of their ethnicity or religion, for special treatment, including mandatory registration, FBI interviews and preventive detention. Businesses have been served with more than 100,000 "national security letters," which permit the FBI to demand records on customers without a court order or individualized basis

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for suspicion. We have all been subjected to unprecedented secrecy about what elected officials are doing in our name while simultaneously suffering unprecedented official intrusion into our private lives by increased video surveillance, warrantless wiretapping and data-mining. Most tragically, more than 3,700 Americans and more than 70,000 Iraqi civilians have given their lives for the "preventive paradigm," which was used to justify going to war against a country that had not attacked us and posed no imminent threat of attack.

The preventive paradigm had its genesis on September 12, 2001. In *Bush at War*, Bob Woodward recounts a White House meeting in which FBI Director Robert Mueller advised that authorities must take care not to taint evidence in seeking 9/11 accomplices so that they could eventually be held accountable. Ashcroft immediately objected, saying, "The chief mission of US law enforcement…is to stop another attack and apprehend any accomplices.… If we can't bring them to trial, so be it." Ever since, the "war on terror" has been characterized by highly coercive, "forward-looking" pre-emptive measures—warrantless wiretapping, detention, coercive interrogation, even war—undertaken not on evidence of past or current wrongdoing but on speculation about future threats.

*Bush's 'war on terror' isn't merely ineffectual; it's worse. It has actually made us significantly less secure.*

In isolation, neither the goal of preventing future attacks nor the tactic of using coercive measures is novel or troubling. All law enforcement seeks to prevent crime, and coercion is a necessary element of state power. However, when the end of prevention and the means of coercion are combined in the Administration's preventive paradigm, they produce a troubling form of anticipatory state violence—undertaken before wrongdoing has actually occurred and often without good evidence for believing that wrongdoing will ever occur.

The Bush strategy turns the law's traditional approach to state coercion on its head. With narrow exceptions, the rule of law reserves invasions of privacy, detention, punishment and use of military force for those who have been shown—on the basis of sound evidence and fair procedures—to have committed or to be plotting some wrong. The police can tap phones or search homes, but only when there is probable cause to believe that a crime has been committed and that the search is likely to find evidence of the crime. People can be preventively detained pending trial, but only when there is both probable cause of past wrongdoing and concrete evidence that they pose a danger to the community or are likely to abscond if left at large. And under international law, nations may use military force unilaterally only in response to an objectively verifiable attack or threat of imminent attack.

These bedrock legal requirements are a hindrance to "going on offense." Accordingly, the Administration has asserted sweeping executive discretion, eschewed questions of guilt or innocence and substituted secrecy and speculation for accountability and verifiable fact. Where the rule of law demands fair and open procedures, the preventive paradigm employs truncated processes often conducted in secret, denying the accused a meaningful opportunity to respond. The need for pre-emptive action is said to justify secrecy and shortcuts, whatever the cost to innocents. Where the rule of law demands that people be held liable only for their own actions, the Administration has frequently employed guilt by association and ethnic profiling to target suspected future wrongdoers. And where the rule of law absolutely prohibits torture and disappearances, the preventive paradigm views these tactics as lesser evils to defuse the proverbial ticking time bomb.

All other things being equal, preventing a terrorist act is, of course, preferable to responding after the fact—all the more so when the threats include weapons of mass destruction and our adversaries are difficult to detect, willing to kill themselves and seemingly unconstrained by any recognizable considerations of law, morality or human dignity. But there are plenty of preventive counterterrorism measures that conform to the rule of law, such as increased protections at borders and around vulnerable targets, institutional reforms designed to encourage better information sharing, even military force and military detention when employed in self-defense. The real problems arise when the state uses highly coercive measures—depriving people of their life, liberty or property, or going to war—based on speculation, without adhering to the laws long seen as critical to regulating and legitimizing such force.

Even if one were to accept as a moral or ethical matter the "ends justify the means" rationales advanced for the preventive paradigm, the paradigm fails its own test: There is little or no evidence that the Administration's coercive pre-emptive measures have made us safer, and substantial evidence that they have in fact exacerbated the dangers we face.

Consider the costliest example: the war in Iraq. Precisely because the preventive doctrine turns on speculation about non-imminent events, it permitted the Administration to turn its focus from Al Qaeda, the organization that attacked us on 9/11, to Iraq, a nation that did not. The Iraq War has by virtually all accounts made the United States, the Iraqi people, many of our allies and for that matter much of the world more vulnerable to terrorists. By targeting Iraq, the Bush Administration not only siphoned off much-needed resources from the struggle against Al Qaeda but also created a golden opportunity for Al Qaeda to inspire and recruit others to attack US and allied targets. And our invasion of Iraq has turned it into the world's premier terrorist training ground.

The preventive paradigm has been no more effective in other aspects of the "war on terror." According to US figures, international terrorist attacks increased by 300 percent between 2003 and 2004. In 2005 alone, there were 360 suicide bombings, resulting in 3,000 deaths, compared with an annual average of about ninety such attacks over the five pre-

*David Cole,* The Nation*'s legal affairs correspondent, is a professor at Georgetown University Law Center. Jules Lobel is a professor at the University of Pittsburgh Law School. This article is adapted from their new book,* Less Safe, Less Free: Why America Is Losing the War on Terror *(New Press).*

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# Why is the federal government waging war on medical marijuana patients in California and other states?

**In flagrant disregard of California Law and the Los Angeles City Council, Federal Drug Enforcement Officials raid an exemplary medical marijuana dispensary.**

Marijuana is the linchpin in the drug war. For seventy years it has been demonized as the "devil weed" that makes people go crazy.

But if marijuana indeed helps Uncle Ed with his chemo and Grandma with her arthritis, how can it be more dangerous than alcohol ...or even caffeine for that matter?* To maintain the "devil weed" myth the Feds have no choice. If they admit that marijuana has medical value, 70% of the war on drugs unravels.

And despite the wishes of 80% of Americans and the mountain of scientific evidence that marijuana is effective, the Feds continue to harass and prosecute patients.

**Common Sense for Drug Policy**
**www.CommonSenseDrugPolicy.org www.DrugWarFacts.org**
**www.ManagingChronicPain.org www.MedicalMJ.org**
**www.TreatingDrugAddiction.org**
**www.info@csdp.org**

* www.csdp.org/publicservice/compare2.htm

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ceding years. That hardly constitutes progress.

But what about the fact that, other than the anthrax mailings in 2001, there has not been another terrorist attack in the United States since 9/11? The real question, of course, is whether the Administration's coercive preventive measures can be credited for that. There were eight years between the first and second attacks on the World Trade Center. And when one looks at what the preventive paradigm has come up with in terms of concrete results, it's an astonishingly thin file. At Guantánamo, for example, once said to house "the worst of the worst," the Pentagon's Combatant Status Review Tribunals' own findings categorized only 8 percent of some 500 detainees held there in 2006 as fighters for Al Qaeda or the Taliban. More than half of the 775 Guantánamo detainees have now been released, suggesting that they may not have been "the worst of the worst" after all.

As for terror cells at home, the FBI admitted in February 2005 that it had yet to identify a single Al Qaeda sleeper cell in the entire United States. And it hasn't found any since—unless you count the Florida group arrested in 2006, whose principal step toward an alleged plot to blow up the Sears Tower was to order combat boots and whose only Al Qaeda "connection" was to a federal informant pretending to be Al Qaeda.

*The government has placed thousands of foreign nationals in preventive detention, yet not one stands convicted of a terrorist crime.*

The Justice Department claims on its website www.lifeandliberty.gov to have charged more than 400 people in "terrorism-related" cases, but its own Inspector General has criticized those figures as inflated. The vast majority of the cases involved not terrorism but minor nonviolent offenses such as immigration fraud, credit-card fraud or lying to an FBI agent. The *New York Times* and the *Washington Post* found that only thirty-nine of the convictions were for a terrorism crime. And virtually all of those were for "material support" to groups labeled terrorist, a crime that requires no proof that the defendant ever intended to further a terrorist act. While prosecutors have obtained a handful of convictions for conspiracy to engage in terrorism, several of those convictions rest on extremely broad statutes that don't require proof of any specific plan or act, or on questionable entrapment tactics by government informants.

Many of the Administration's most highly touted "terrorism" cases have disintegrated after the Justice Department's initial self-congratulatory press conference announcing the indictment, most notably those against Capt. James Yee, a Muslim chaplain at Guantánamo initially accused of being a spy; Sami Al-Arian, a computer science professor acquitted on charges of conspiracy to kill Americans; Muhammad Salah and Abdelhaleem Ashqar, acquitted in Chicago of aiding Hamas; Sami al-Hussayen, a Saudi student acquitted by an Idaho jury of charges that he had aided terrorism by posting links on his website to other sites containing jihadist rhetoric; and Yaser Hamdi, the US citizen held for years as an enemy combatant but released from military custody when the government faced the prospect of having to prove that he was an enemy combatant. The Administration recently managed to convict José Padilla, the other US citizen held as an enemy combatant, not for any of the terrorist plots against the United States that it once accused him of hatching but for attending an Al Qaeda training camp and conspiring to support Muslim rebels in Chechnya and Bosnia before 9/11.

Overall, the government's success rate in cases alleging terrorist charges since 9/11 is only 29 percent, compared with a 92 percent conviction rate for felonies. This is an astounding statistic, because presumably federal juries are not predisposed to sympathize with Arab or Muslim defendants accused of terrorism. But when one prosecutes prematurely, failure is often the result.

The government's "preventive" immigration initiatives have come up even more empty-handed. After 9/11 the Bush Administration called in 80,000 foreign nationals for fingerprinting, photographing and "special registration" simply because they came from predominantly Arab or Muslim countries; sought out another 8,000 young men from the same countries for FBI interviews; and placed more than 5,000 foreign nationals here in preventive detention. Yet as of September 2007, not one of these people stands convicted of a terrorist crime. The government's record, in what is surely the largest campaign of ethnic profiling since the Japanese internment of World War II, is 0 for 93,000.

These statistics offer solid evidence to support the overwhelming consensus that *Foreign Policy* found when it polled more than 100 foreign policy experts—evenly dispersed along the political spectrum—and found that 91 percent felt that the world is becoming more dangerous for the United States, and that 84 percent said we are not winning the "war on terror."

It is certainly possible that some of these preventive measures deterred would-be terrorists from attacking us or helped to uncover and foil terrorist plots before they could come to fruition. But if real plots had been foiled and real terrorists identified, one would expect some criminal convictions to follow. When FBI agents successfully foiled a plot by Sheik Omar Abdel Rahman (popularly known as "the blind sheik") and others to bomb bridges and tunnels around Manhattan in the 1990s, it also convicted the plotters and sent them to prison for life.

In October 2005 Bush claimed that the United States and its allies had foiled ten terrorist plots. But he couldn't point to a single convicted terrorist. Consider just one of Bush's ten "success" stories, the one about which he provided the most details: an alleged Al Qaeda plot to fly an airplane into the Library Tower, a skyscraper in Los Angeles. The perpetrators, described only as Southeast Asians, were said to have been captured in early 2002 in Asia. As far as we know, however, no one has ever been charged or tried for this alleged terror plot. Intelligence officials told the *Washington Post* that there was "deep disagreement within the intelligence community about… whether it was ever much more than talk." A senior FBI official said, "To take that and make it into a disrupted plot is just ludicrous." American officials claim to have learned about some of the plot's details by interrogating captured Al Qaeda leader Khalid Shaikh Mohammed, but he was captured in

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2003, long after the perpetrators had been arrested. As the *Los Angeles Times* put it, "By the time anybody knew about it, the threat—if there had been one—had passed, federal counter-terrorism officials said." These facts—all omitted in Bush's retelling—suggest that such claims of success need to be viewed skeptically.

If the Bush strategy were merely ineffectual, that would be bad enough. But it's worse than that; the President's policy has actually made us significantly less secure. While the Administration has concentrated on swaggeringly aggressive coercive initiatives of dubious effect, it has neglected less dramatic but more effective preventive initiatives. In December 2005 the bipartisan 9/11 Commission gave the Administration failing or near-failing grades on many of the most basic domestic security measures, including assessing critical infrastructure vulnerabilities, securing weapons of mass destruction, screening airline passengers and cargo, sharing information between law enforcement and intelligence agencies, insuring that first responders have adequate communications and supporting secular education in Muslim countries. We spend more in a day in Iraq than we do annually on some of the most important defensive initiatives here at home.

The preventive paradigm has also made it more difficult to bring terrorists to justice, just as FBI Director Mueller warned on September 12. When the Administration chooses to disappear suspects into secret prisons and use waterboarding to encourage them to talk, it forfeits any possibility of bringing the suspects to justice for their alleged crimes, because evidence obtained coercively at a "black site" would never be admissible in a fair and legitimate trial. That's the real reason no one has yet been brought to trial at Guantánamo. There is debate about whether torture ever results in reliable intelligence—but there can be no debate that it radically curtails the government's ability to bring a terrorist to justice.

Assuming that the principal terrorist threat still comes from Al Qaeda or, more broadly, a violence-prone fundamentalist strain of Islam, and that the "enemies" in this struggle are a relatively small number of Arab and Muslim men, it is all the more critical that we develop close, positive ties with Arab and Muslim communities here and abroad. By alienating those whose help we need most, the preventive paradigm has had exactly the opposite effect.

At the same time, we have given Al Qaeda the best propaganda it could ever have hoped for. Then–Defense Secretary Donald Rumsfeld identified the critical question in an October 2003 internal Pentagon memo: "Are we capturing, killing or deterring and dissuading more terrorists every day than the madrassas and the radical clerics are recruiting, training and deploying against us?" While there is no precise metric for answering Rumsfeld's question, there can be little doubt that our preventive tactics have been a boon to terrorist recruitment throughout the world.

More broadly still, our actions have radically undermined our standing in the world. The damage to US prestige was perhaps most dramatically revealed when, after the report of CIA black sites surfaced in November 2005, Russia, among several other countries, promptly issued a press release claiming that

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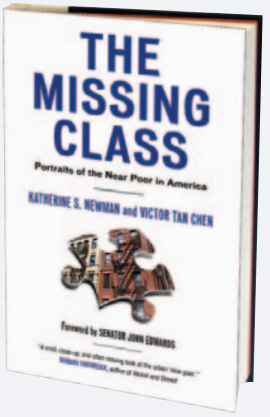
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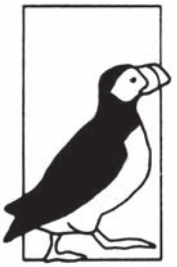

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# German GWOT Misfire

The signs from Europe on the antiterrorism front look increasingly ominous, less because of any discernible upswing in terrorist activity than because of European governments' attempts to criminalize opposition. First came word that the German government was investigating seventeen top journalists who had published articles about a parliamentary investigation of German involvement in CIA rendition flights to Europe. The same week saw an even more chilling development: Several urban social scientists in Berlin were secretly investigated and charged—one was imprisoned—on suspicion of terrorism. The grounds cited include the research they have done and people they may have talked to in the process.

Dr. Andrej Holm, a 36-year-old urban sociologist at Berlin's Humboldt University, was arrested July 31. A researcher on the gentrification of Berlin, he wrote the academic volume *Die Restrukturierung des Raumes* (The Restructuring of Space). He was rendered by helicopter to the federal court in Karlsruhe and ordered detained under antiterrorist law on suspicion of "terrorist association." He was held in solitary confinement in Berlin's Moabit Prison, in his cell twenty-three hours a day, with almost no access to lawyers and little contact with family, including his three children.

The homes and workplaces of three other academics were also raided, their computers, phone books and other research materials searched and confiscated. All four have been under surveillance since September 2006, suspected of association with a "terrorist organization" referred to as a "militant group." The raids and the detention of Holm were apparently triggered by the earlier arrests of three people alleged to have set several army trucks on fire in Brandenburg. Rather than charge these avowedly antimilitarist activists with vandalism, the German government has reached back to Section 129a of the German Penal Code to throw the antiterrorist book at them. Section 129a was established in 1976 during the state's pursuit of the militant Baader-Meinhof Gang but lately has been dusted off for the purpose of fighting the "global war on terror" (GWOT).

Because Section 129a applies explicitly to groups and not to individuals, the authorities have gone to considerable lengths to portray Holm and his scholarly colleagues as guilty by association. Indeed, most of the charges against them focus on the actions of others. One academic, Matthias B., is accused of using "phrases and key words," including the word "gentrification," that echo the terminology used by the antimilitarist activists accused of arson, and further, of writing "sophisticated texts" and having access to a research library. For the federal prosecutor, this demonstrates the potential for these academics to act as intellectual leaders of the "terrorist group." Another is accused of having met with the three alleged members of the militant group, and a third is under suspicion for having some of their phone numbers in his phone book.

Holm's alleged crimes are that he had "close contacts" with the three charged academics and possibly others; participated in the "extreme left-wing" protest against the 2007 Heiligendamm G-8 economic summit, which the German government attempted to disrupt with pre-emptive riot-squad raids in May; and that he "intentionally" left his cellphone at home before a meeting. In a Kafkaesque touch, his lack of a cellphone—hindering the efforts of German authorities to track him—is deemed "conspiratorial behavior." The authorities also cited Holm's frequent use of the terms "gentrification" and "inequality" in his work as pointing to his alliance with the militant group. What's shocking is that the German government feels empowered to invoke the content of research as evidence of terrorism. As one open letter from German and international scholars protesting the case argues, "critical research, in particular research linked with political engagement, is turned into 'terrorism.'"

Opposition to these ludicrous charges, which reflect a certain desperation among German authorities to mount successful prosecutions in the war on terror, is building. Protests exploded almost immediately, with demonstrations in Berlin and elsewhere in Germany in August. A wide Coalition for the Immediate End to the Section 129a Proceedings has been formed, and the German Green Party has vowed to raise the issue in the Bundestag. More than 3,000 urban scholars from universities and academic organizations around the world, together with activists and organizers, have signed open letters protesting the arrests and demanding the repeal of Section 129a (see www.einstellung.so36.net/en). A strongly worded resolution was passed at the American Sociological Association's annual meeting in New York in mid-August; a protest was lodged by the International Critical Geography Group; and another letter of protest was issued by a recent gathering of international urban scholars in Vancouver. Two Britain-based US academics have described the charges and incarcerations as "Guantánamo in Germany." The German government initially refused to comment on the case, but there is some sign that the international protests are having an effect. After more than three weeks in jail, Holm was released on bail, and the federal court, clearly skeptical of the grounds for terrorism charges, rejected at least temporarily the prosecutor's attempts to return him to jail. Still, all the charges remain in place against the seven accused.

If this case is any guide, Section 129a effectively establishes guilt by association. It is a gift from the past to an increasingly intolerant German state. But Germany is hardly alone. The United States has recently seen multiple prosecutions of nonviolent activists and assorted innocents caught in the wrong place at the wrong time, and the British government recently threatened to use antiterrorist legislation against Heathrow climate change activists. In these cases, the threat of "terrorism" is invoked to justify a crackdown on legitimate opposition to government policies. How else are we to interpret secret police snarling about the word "gentrification"? The disturbing precedent emerging from Germany is that people's writings, research and scholarly work—not to mention their cellphone abstinence—can and will be used as evidence against them. If the German state gets away with it, an international precedent will have been set, and a new chill will be felt by dissenters the world over.

NEIL SMITH

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it had nothing to do with the sites. When Russia feels the need to distance itself from the United States out of concern that its human rights image might be tarnished by association, we have fallen far.

In short, we have gone from being the object of the world's sympathy immediately after 9/11 to being the country most likely to be hated. Anti-Americanism is at an all-time high. In some countries, Osama bin Laden has a higher approval rating than the United States. And much of the anti-Americanism is tied to the perception that the United States has pursued its "war on terror" in an arrogant, unilateral fashion, defying the very values we once championed.

The Bush Administration just doesn't get it. Its National Defense Strategy, published by the Pentagon, warns that "our strength as a nation state will continue to be challenged by those who employ a strategy of the weak using international fora, judicial processes, and terrorism." The proposition that judicial processes and international accountability—the very essence of the rule of law—are to be dismissed as a strategy of the weak, aligned with terrorism itself, makes clear that the Administration has come to view the rule of law as an obstacle, not an asset, in its effort to protect us from terrorist attack.

Our long-term security turns not on "going on offense" by locking up thousands of "suspected terrorists" who turn out to have no connection to terrorism; nor on forcing suspects to bark like dogs, urinate and defecate on themselves, and endure sexual humiliation; nor on attacking countries that have not threatened to attack us. Security rests not on exceptionalism and double standards but on a commitment to fairness, justice and the rule of law. The rule of law in no way precludes a state from defending itself from terrorists but requires that it do so within constraints. And properly understood, those constraints are assets, not obstacles. Aharon Barak, who recently retired as president of Israel's Supreme Court, said it best in a case forbidding the use of "moderate physical pressure" in interrogating Palestinian terror suspects: "A democracy must sometimes fight terror with one hand tied behind its back. Even so, a democracy has the upper hand. The rule of law and the liberty of an individual constitute important components in its understanding of security. At the end of the day, they strengthen its spirit and this strength allows it to overcome its difficulties."

The preventive paradigm has compromised our spirit, strengthened our enemies and left us less free and less safe. If we are ready to learn from our mistakes, however, there is a better way to defend ourselves—through, rather than despite, a recommitment to the rule of law. ■

THE ARMY'S UPDATED FIELD MANUAL DRAWS ON AN OLD TRADITION—ONE STEEPED IN BLOOD.

# The New Counterinsurgency

**TOM HAYDEN**

American officers call them the Kit Carson Scouts: Sunni military units prowling the desert to hunt down Al Qaeda in Mesopotamia and other extremist jihadi groups. The original Kit Carson fought ruthlessly to repress the Navajo on their reservations by employing rival tribes like the Ute in one of the American military's first counterinsurgency campaigns. Even today, America's favorite weapons—the Apaches, Comanches, Kiowas, Black Hawks and Tomahawks—testify to the military's most formative memories.

TIM ROBINSON

Now counterinsurgency is back in favor, the cure for Iraq as implemented by Gen. David Petraeus and an assortment of Ivy League advisers. By enlisting Sunni Iraqi insurgents to turn their guns against jihadis, Petraeus is claiming tactical progress in the "surge." The Bush Administration is using that claim in its campaign to continue the surge for another six months, and the war itself for a few years longer. There may also be a high-stakes internal coup against Prime Minister Nuri Kamal al-Maliki, which could be coupled with US appeals to allow more time for political progress. August was spent on feverish promotion of the Petraeus plan, with several dozen members of Congress wined, dined and personally briefed in Baghdad's Green Zone. Pundits Michael O'Hanlon and Kenneth Pollack, who promoted the 2003 invasion, wrote a widely circulated *New York Times* oped piece titled "A War We Just Might Win" after a recent trip to Baghdad. Fox News then featured O'Hanlon in an up-beat hour-long special about Petraeus and counterinsurgency. Secretary of State Condoleezza Rice gave O'Hanlon an appreciative audience as well. (The PR campaign is having some effect: In late August 29 percent of Americans believed the surge was "making the situation better in Iraq," up ten points from July. And $15 million is now being spent on Republican television spots to shore up support for the war.)

While Fox is doing the flacking, the Petraeus plan draws intellectual legitimacy from Harvard's Carr Center for Human Rights Policy, whose director, Sarah Sewall, proudly embraces an "unprecedented collaboration [as] a human rights center partnered with the armed forces." Sewall, a former Pentagon official, co-sponsored a "doctrine revision workshop" at Fort Leavenworth that prepared the Army and Marines' new counterinsurgency warfighting Field Manual. The manual is the most

*Tom Hayden, who teaches sociology at Pitzer College in Claremont, California, is the author of* Ending the War in Iraq *(Akashic).*

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widely read of several new and reissued works on counterinsurgency, or COIN, with 2 million downloads in its first two months on the Internet. The other influential works are John Nagl's *Counterinsurgency Lessons From Malaya and Vietnam: Learning to Eat Soup With a Knife* (2002) and David Galula's book on Algeria, *Counterinsurgency Warfare: Theory and Practice* (1964). Not only are both books endorsed by Sewall in her introduction to the Field Manual but the Field Manual and the 2006 reprinting of Galula's book both contain introductions by Nagl, a Rhodes scholar from West Point and a former commander in Iraq who predicts counterinsurgency warfare for the next fifty years in an "arc of instability" in the Middle East, Africa, and Central and South Asia.

The attraction of intellectuals to COIN certainly isn't new. The maxim about eating soup with a knife, a reference to the messiness and difficulty of counterinsurgency campaigns, was coined almost a century ago by Lawrence of Arabia, who encouraged Arab nationalism against the Ottoman Empire (on behalf of the British, who after the Ottoman defeat refused the Arabs the independence they'd been promised); John F. Kennedy, with the "best and the brightest," promoted the Green Berets in 1961 in response to the Cuban Revolution. A Special Forces expert in Iraq is quoted by Nagl as saying that "counterinsurgency is not just thinking man's warfare—it is the graduate level of warfare." Nearly half the Field Manual reads more like Max Weber than Karl von Clausewitz.

*The goal of COIN is to replace Arab nationalism with a fragmented culture of subservient informants split along tribal and sectarian lines.*

Much of the difficulty with COIN derives from its ends: Usually it seeks to coerce populations into accepting a repressive regime or foreign occupation—and sometimes both. Translated to modern Iraq, eating soup with a knife means persuading a majority of nationalist and Islamist Iraqis to accept the US occupation or, in Nagl's words, "winning the Iraqi people's willingness to turn in their terrorist neighbors." The goal of COIN is to replace Arab nationalism with a subdued, fragmented culture of subservient informants split along tribal and sectarian lines, like the mercenary Ute manhunters against the Navajo.

Separating the insurgents from the population is indeed eating soup with a knife. In practice, that means breaking down doors in the middle of the night, creating barricaded and tightly controlled enclaves where residents live behind concertina wire and blast walls and beneath watchtowers, surveilled constantly by US and Iraqi troops who control ingress and egress with eye scanners and fingerprinted ID cards. Residents stay home at night and are pressured to report anyone who is missing. Mass displacements, roundups and detentions of Iraqi civilians have all nearly doubled since the surge began in February. The Pentagon's euphemism for this coercive program is "gated communities," a new name for a very old tradition.

In the days of Kit Carson, native people were herded into reservations while US troops destroyed the insurgents and their natural resources. In Malaya in the 1950s the British destroyed the Chinese communities at the base of the insurgency while herding civilians into "new villages" behind barbed wire. In South Vietnam the enclosures were called "strategic hamlets," and the assassination campaign to root out Vietcong guerrillas was called the Phoenix Program. To empty the countryside of potential Vietcong sympathizers, Harvard's Samuel Huntington advocated "forced urbanization."

Yet Sewall of Harvard's Carr Center suggests that intellectuals have a moral duty to collaborate with the military in devising counterinsurgency doctrines. "Humanitarians often avoid wading into the conduct of war for fear of becoming complicit in its purpose," she writes in an introduction to the Field Manual. In a direct response to critics who argue that the manual's passages endorsing human rights standards are just window dressing, she adds, "The Field Manual requires engagement precisely from those who fear that its words lack meaning."

One would think that past experiences with death squads indirectly supported by the United States, as in El Salvador in the 1980s, or the recent exposure of abuses at Iraq's Abu Ghraib, Afghanistan's Bagram facility and Guantánamo, would justify such worries about complicity. But Sewall defends Harvard's collaboration through a pro-military revisionist argument. She says, "Military annals today tally that effort [the war in El Salvador] as a success, but others cannot get past the shame of America's indirect role in fostering death squads." Can she mean that the Pentagon's self-serving narrative of the Central American wars is correct, and that critics of a conflict in which 75,000 Salvadorans died—the equivalent of more than 4 million Americans—most of them at the hands of US-trained and -equipped security forces, including death squads, simply need to "get past" being squeamish about the methods? Instead of churning out self-deluding platitudes about civilizing the military, Harvard would do well to worry more about how collaboration with the Pentagon impairs the critical independent role of intellectuals.

The most fitting metaphor for Iraq today might be that of Dr. Frankenstein's monster. The effect of the "gated communities" and Kit Carson Scouts—indeed, the effect of much of the US occupation since 2003—has been to grind native populations into a state of anarchic fragmentation, with the vacuum filled by multiple sectarian militias. Consider the following evidence:

§ A bombshell Pentagon report in September recommends "scrapping" the sectarian Iraqi police force and starting over.

§ According to a July *Los Angeles Times* analysis, the current Interior Ministry, heavily funded and advised by Americans, is run by loyalists of the Shiite Supreme Islamic Iraqi Council and is responsible for secret prisons and torture. An average of one to two employees are killed each week, with Sunnis now "almost entirely purged from the ministry."

§ The prestigious Baker-Hamilton Iraq Study Group noted last year that the Iraqi police "routinely engage in sectarian violence, including the unnecessary detention, torture and targeted execution of Sunni Arab civilians."

§ The White House's own July benchmarks report noted "evidence of sectarian bias in the appointment of senior military and police commanders" as well as "target lists emanating from

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the Office of the Commander in Chief that bypassed operational commanders and directed lower-level intelligence officers to make arrests, primarily of Sunnis."

§ According to the *New York Times*, as of the end of 2005, in Baghdad there were eight to ten secret prisons operated by militia units that reported directly to the Interior Minister.

§ BBC television reporter Deborah Davies showed footage of torture and ethnic cleansing against Sunni civilians in late 2006, reporting that "it's all happening under the eyes of US commanders who seem unwilling or unable to intervene."

§ The United Nations has accused the Iraqi government of failing to address allegations of torture inflicted on the several thousand new detainees rounded up during the current Baghdad security plan.

§ According to the US Government Accountability Office, since 2004 190,000 US-made AK-47s have gone missing, with many thought to be in the hands of various Iraqi militias.

*The surge has doubled the number of Iraqi refugees, and the civil war features American funding, weapons and advisers on all sides.*

The United States has spent $19 billion on the Iraqi security forces since 2003. The results are blatantly illegal under the government's Leahy Amendment (1997), which forbids military assistance to known human rights abusers. Why hasn't that amendment been a greater focus of Congressional attention? A key Senate consultant suggested in an interview with *The Nation* that there is widespread Congressional avoidance of the Frankenstein problem. In any other conflict, a regime like Iraq's would be termed a police state. In America, such talk makes people cringe. The dominant paradigm is that the "new Iraq" is a fledgling democracy that needs our nourishing protection before it "stands up." Although political talk-shows frequently discuss Iraq's problems, rarely do they focus in depth on the death squads and militias embedded in the US-funded security forces.

Perhaps this is more than a case of avoiding an ugly, unwanted phenomenon that is difficult to shut down. One explanation is hard to discount, however unnerving it might be. Soon after the 9/11 terror attacks, Vice President Cheney spoke of working "the dark side," doing apparently unspeakable things "quietly, without any discussion." Neoconservative military analyst Robert Kaplan has argued that counterinsurgency should be conducted "off camera, so to speak." The divide-and-conquer strategy was articulated by President Bush himself, who declared in his 2001 address on confronting terrorism that the United States would "turn them one against another."

Bernard Lewis, perhaps the dominant neoconservative voice advocating the Iraq War, proposed dismembering Arab nationalism back in the early 1990s, writing that "if the central power is sufficiently weakened, there is no real civic society…the state then disintegrates—as happened in Lebanon—into a chaos of squabbling, feuding, fighting sects, tribes, religions and parties." In 2005 a longtime Israeli foreign ministry official wrote in a *Los Angeles Times* op-ed, titled "Israel Could Live With a Fractured, Failed Iraq," that "an Iraq split into three semi-autonomous mini-states, or an Iraq in civil war, means that the kind of threat posed by [Saddam] Hussein…is unlikely to rise again."

The specter of forced partition is directly accelerating with the US troop surge, and sectarian civil war is already at hand. What is lacking is recognition that the United States is the driver of both; the surge has doubled the number of Iraqi refugees, and the civil war features American funding, weapons and advisers on all sides. "We sit back and watch because that can only benefit us," said one top commander of insurgent groups battling each other in 2006.

More evidence for this exploitation of sectarian chaos comes from Stephen Biddle, a Harvard PhD now at the Council on Foreign Relations and an on-the-ground adviser to General Petraeus in Baghdad. The Biddle plan, as described in a 2006 *Foreign Affairs* essay, called for playing both sides of the sectarian divide, something like the colonial defense of occupation as the only way to keep the barbarians in balance. After the United States had put the Shiites (and Kurds) in power, Biddle advised manipulating their behavior by "a US threat to cease backing the Shiites coupled with a program to arm the Sunnis overtly or, in a semi-clandestine way…substantially reduce the Shiites' military prospects" against the Sunni insurgents.

Alternatively, Biddle proposed that the United States might unleash greater Shiite military power by providing tanks, armored personnel carriers, fixed-wing attack aircraft and the like to increase the Shiite capacity to "commit mass violence against the Sunnis dramatically." The reason? To provide an "important incentive for the Sunnis to compromise" on their longstanding demand for an American troop withdrawal.

This is dangerous territory, playing the "devil's game," in the apt phrase of author Robert Dreyfuss. One danger is that it can be played both ways. Iraqi militias are not only using the Americans to go after their rivals but seem to have turned their weapons on the occupiers. Just where and how did those 190,000 AK-47s disappear? After routing their local rivals, who might the Kit Carson Scouts turn against next?

It is dangerous for American democracy to rely on policies based on stealth and deception. American Special Operations Forces carry out secret attacks in Baghdad's Shiite neighborhood of Sadr City or against Al Qaeda suspects "in the shadows of the troop increase," according to the *New York Times*. No one—not the media, Congress or the public—can be fully aware of what happens in such shadows. Biddle worries about a major obstacle: "Recent polls of American public opinion are not encouraging." Rather than bow to democratic public opinion, those like Biddle, Petraeus and Bush are rushing forward with exaggerations, fabrications and manipulations to defuse antiwar public opinion as the 2008 elections approach. The subtext is clear: The war itself must be masked and the media fed a false narrative once again.

One reality that will be hard to avoid is the exhaustion of the American Army. Military commanders have made it clear that present troop levels will become unsustainable after April 2008. If this is so, the pressure for low-visibility counterinsurgency will only increase, with some brigades of American combat troops

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coming home during the presidential season and increased numbers of Americans advising and training Iraqi security forces as well as engaging in secret operations. The problem is that the media and leading presidential candidates have already internalized the paradigm shift from a combat mission to a training one. The Senate antiwar proposal with the greatest support, for example, allows explicit exemptions for trainers and operations against Al Qaeda. The Baker-Hamilton Iraq Study Group recommended 10,000–20,000 advisers, up from the current 3,000–4,000. The Center for New American Security, a hawkish Democratic-leaning think tank, advocates an increase to 20,000 advisers. The center, which includes former officials from Raytheon and Lockheed Martin as well as former Secretary of State Madeleine Albright and former Deputy Secretary of State Richard Armitage on its board, is especially worried about the home front:

> The transition from President Bush is getting more and more problematic as the American people continue to lose confidence in the Iraq War and step up their pressure on candidates from both parties. If no bipartisan consensus is reached before the Democratic and Republican primaries, the next President will likely be elected principally on a "Get Out of Iraq" platform. The political space to do otherwise is shrinking by the day.

Only one think tank of well-connected insiders, the Center for American Progress, has evolved from supporting US advisers to advocating their phaseout along with nearly all US troops by the end of 2008. CAP is led by Bill Clinton's former Chief of Staff John Podesta—who also sits on the board of his more hawkish rivals at the Center for New American Security. But the differences between these insider advocates could not be more stark: Leave the American troops engaged in the midst of a sectarian civil war, or bring them home in twelve months. The most interesting CAP proposal is for Congress to enforce the Leahy Amendment. Shortly after CAP issued its report advocating total withdrawal, the leaders of Congress's Out of Iraq Caucus (Representatives Maxine Waters, Barbara Lee and Lynn Woolsey) introduced HR 3134, which prohibits funding, training and transferring arms to the Iraqi security forces, and any militias or local forces, unless specifically authorized by Congress. Hearings on this legislation might uncover the bloody realities involved in the counterinsurgency campaign. If so, members of Congress who have been reluctant so far to end funding for the troops may be less willing to ratify taxes that abet secret prisons and Interior Ministry death squads.

For those who can still get past the shame of death squads, as Harvard's Sewall seems to urge, and who still believe a better world lies ahead for Iraq under US tutelage, Congress could ask the Navaho and Ute to testify. These believers might then learn that the hidden shame behind the counterinsurgency in Iraq is the same one that has compromised America's identity for centuries. ■

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# *Ha'aretz*, Israel's Liberal Beacon

**STEPHEN GLAIN**

The daily editorial meeting at the Israeli newspaper *Ha'aretz* is a sacred, if sometimes rancorous, noontime ritual. It takes place in the editor's office, which like the rest of the newsroom is embellished with avant-garde paintings from the art collection owned by the Schocken family, the paper's publisher and owner. Debates are freewheeling and nonhierarchical, the way early kibbutzniks might have argued over crop rotations. With the meeting convened by editor David Landau, the dozen or so deputy editors and senior writers haggle over what should be the lead editorial for the next day's edition and on which side of the issues *Ha'aretz* should array itself.

TIM ROBINSON

Occasionally, the debates end in a draw. One day last February, for example, participants argued for two hours over whether Israel's head of prisons should be appointed police commissioner despite a history of disciplinary offenses and a criminal trial that ended in his acquittal. The meeting concluded with a hung verdict, and the next day's editorial was unusually cautious and equivocal. More recent debates have focused on whether Israel should break ranks with the Bush Administration and pursue peace negotiations with Syria. *Ha'aretz* favors such a dialogue, though not as robustly as some staff members would like and despite opposition from others.

"The noontime meeting is where senior people ventilate," says Landau, who came to the paper fourteen years ago not long after leaving the *Jerusalem Post* when it was bought by conservative media mogul Conrad Black. "The rank and file may view it with sarcasm and cynicism, but beneath that is a grudging prestige of membership in such a vibrant spectrum of opinion."

In Israel, spirited debate was once a cultural imperative. Now it is a rare, if precious, resource, as is *Ha'aretz* and its emphatic liberal consciousness. Though Palestinian suicide bombers and Hezbollah rocket attacks have all but muted Israel's high-decibel,

*Stephen Glain, a frequent* Nation *contributor and a contributing editor to* Newsweek International*, is the author of* Mullahs, Merchants, and Militants: The Economic Collapse of the Arab World *(St. Martin's Griffin).*

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hydra-headed politics, there is *Ha'aretz*, arousing and provoking with its pro-peace apostasy. Not only does the paper challenge its readers; it makes money doing it. The depth, passion and wit of its reporting recalls the best of the long-extinguished *Washington Star* or Britain's once-sassy *Independent*. The paper routinely scoops its larger rivals, the tabloids *Yediot Ahronot* and *Ma'ariv*, particularly when it comes to US-Israeli relations, and it is the closest thing the Middle East has to an indispensable read. (It is also the only major Israeli daily with an editorial page; in June *Yediot Ahronot* dropped its editorial section and, like *Ma'ariv*, now restricts itself to signed opinion pieces.)

*Ha'aretz*'s opposition to Israel's most controversial policies—the occupation of the West Bank and the incarceration of Gaza behind a fortified wall, the systematic discrimination against Israel's Arab citizenry, last year's war in Lebanon—makes it a life raft for anyone who despairs of the Jewish state's rightward lurch but who is too afraid to criticize it openly for fear of being tarred as an anti-Semite, an appeaser of terrorists or a self-hating Jew.

*Editor David Landau and his staff preserve Israel's tradition of dissent from the demagogues of our Age of Fear.*

"Israel is in a coma," says *Ha'aretz* senior writer Gideon Levy, bête noire of *Ha'aretz* critics and patron saint to its most loyal readers for his relentless campaign against the occupation. "There was a time when you'd ask two Israelis a question and you'd get three opinions. Now you get only one."

Like museum curators who deny a national treasure to a marauding foe, Landau and his staff preserve Israel's tradition of dissent from the demagogues of our Age of Fear. When *Ha'aretz*'s coverage of seismic events has triggered a wave of subscription cancellations—most notably for its empathetic reports of Palestinian suffering in the early days of the second intifada and its condemnation of Israel's invasion of Lebanon last year—publisher Amos Schocken has struck back with defiant editorials. When American academics John Mearsheimer and Stephen Walt were slandered last year for their article in *The London Review of Books*, which alleged a pernicious influence over US Middle East policy by the so-called Israel lobby, *Ha'aretz* ran an editorial that condemned the "McCarthyite policing of academia" as "deeply un-Jewish." Last September, when violent clashes erupted between Hamas and Fatah in Gaza, auguring the climactic split that would come in June, *Ha'aretz* correspondent Amira Hass ruled them the inevitable result of "the extended experiment called 'what happens when you imprison 1.3 million human beings in an enclosed space like battery hens.'"

Reportage like that regularly places *Ha'aretz* and its correspondents—several of whom have their own columns on the opinion page—in the cross-hairs of conservative pro-Israel groups as well as ordinary Israelis and members of the Jewish Diaspora. "Talkback," the reader-response feature in *Ha'aretz*'s online edition, boils with largely negative and often hostile commentary. Aluf Benn, the paper's diplomatic correspondent, says he is routinely characterized by readers as a "Nazi Jew-hater" (he is also treated to "Nazi Occupier" from the pro-Palestinian side, he says). Senior *Ha'aretz* correspondent Tom Segev, author of the books *1967* and *One Palestine, Complete*, says the most extreme messages he gets often come from American Jews. In response to a story he wrote during the Israeli invasion of Lebanon, one US reader remarked: "I don't know if your mother slept with Hitler knowingly or if he raped her but I can tell you are a Nazi."

"It's bizarre," says Segev. "You think you're writing for some intelligent people, but there are some real weirdos out there." Nevertheless, Talkback is closely followed by Knesset members as an invaluable measure of the Israeli viscera.

No subject, it seems, is too sensitive for *Ha'aretz* to take on—including the "blood libel." The publication in Italy early this year of *Bloody Passovers: The Jews of Europe and Ritual Murders*, by academic Ariel Toaff, provoked a furor over the book's suggestion that there could be some truth to at least one blood libel—an alleged murder of a child in 1475 by the Jews of Trent, who may have then used the victim's blood to bake matzo for Passover. While most of the Israeli media shied away from the controversy, *Ha'aretz* weighed in with a lengthy piece about the book and the state of academic freedom in Israel, a tongue-in-cheek history of the blood libel and its modern iterations, a scholarly but sobering essay on how the blood libel has been used as a trigger for anti-Jewish pogroms and a profile of Toaff's father, the former chief rabbi of Rome, who condemned the book and chastised his son for writing it. (The book was eventually pulled from the shelves by the publisher.)

The letters came pouring in, says editor Landau, who along with Schocken and the paper's section editors spends much of his time answering heated written responses to *Ha'aretz* coverage or engaging angry readers over the phone. "I can't say in all honesty whether we would have broken that story if we had it exclusively," Landau says. "But once the Italian press broke it and it was in the public domain we just applied regular journalistic principles. It's very rare that we sit on a story." (Landau admits he withheld news in late 2004 of the drug-related arrest in Peru of the daughter of the Israeli ambassador to Britain. Entreated by the ambassador to exercise restraint, Landau and his editors agreed to delay publication while embassy officials negotiated for his daughter's release. The understanding was overtaken by events, however, when the young woman won a beauty contest held by her fellow inmates, and the story was carried by the Associated Press.)

*Ha'aretz* correspondents praise Landau, a former reporter himself and an English-born Orthodox Jew, for giving them the freedom to define and interpret their beats. He recruits from Israel's best feeder papers and Army Radio, which is respected for its tough reporting, and puts them to work in the paper's boiler rooms, like the night desk. "You need a year of indoctrination," says Benn. "And during that time you always hear the senior editors saying, 'That's not the way it's done here.' There is a lot of pride in the culture."

Levy, who says that somewhere in the *Ha'aretz* newsroom is a thick file of subscription-cancellation notices inspired by his coverage, says he is less constrained in his punditry than most

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columnists are in the United States and Europe. While working in Gaza early this year with a French film crew that was making a documentary about him, Levy declared on camera that the Gazans' plight made him ashamed to be an Israeli. "A few days later," he says, "I got a call from the producer, who said he couldn't use the quote for fear it would upset the Jewish lobby in France. That would never happen at *Ha'aretz*, particularly under David Landau."

*Ha'aretz*'s core readership—the 65,000 Israelis who take the paper in Hebrew and the 15,000 or so who read the English edition—are among the country's elite. Surveys reveal *Ha'aretz* subscribers to be predominantly Ashkenazi and in their 40s, with above-average levels of income, education and wealth. "Never trust *Ha'aretz* as a true reflection of the average Israeli newspaper reader," says Shmuel Rosner, the paper's right-of-center chief US correspondent. "For many Israelis, *Ha'aretz* is like *The Nation*. People who read it are better educated and more sophisticated than most, but the rest of the country doesn't know it exists."

Landau insists, however, that *Ha'aretz*'s readership is no more monolithically liberal than is the paper itself. Its opinion pages make room for conservative thinkers, politicians and policymakers, including such rightist luminaries as Israel Harel, the former chairman of a prominent settlers' group, and Moshe Arens, a former Likud Party minister and Israeli ambassador to Washington. In a February opinion piece, *Ha'aretz*'s military correspondent, Ze'ev Schiff, sternly rebuked Jibril Rajoub, a former Palestinian Authority intelligence chief under Yasir Arafat, for remarking that the Arabs will one day regain all of historic Palestine. Such a "Hamas-style declaration" from a senior Fatah member like Rajoub, Schiff concluded, was proof that the Palestinians must eradicate extremists in their ranks as a condition for peace talks. (The legendary Schiff, who had covered his beat "since the Boer War," jokes Landau, died in June at 74.)

Then there is Rosner's blog, a landfall for hardliners inside *Ha'aretz*'s liberal archipelago. In the wake of Hamas's Gaza takeover in June, Rosner suggested (in a piece written with Aluf Benn) that the idea of a two-state solution to the Israeli-Palestinian conflict might be ditched in favor of a Palestinian confederation or autonomous region comprising Gaza, the West Bank and Jordan. Such an alternative, Rosner wrote, "can be viewed as part of the search for a solution, but also as a whip being held over the head of the hesitant [Palestinian Authority President] Abbas." It was a brazen proposition even within the Washington Beltway, where the goal of Palestinian statehood is embraced across much of the political spectrum.

Rosner, who worked as an editor at *Ha'aretz* before moving to Washington, acknowledges his minority status at the paper but says he is no outcast. "As an editor," he says, "I've had to justify my decisions to colleagues, but the dialogue was always professional. I don't agree with most of the paper's editorials and neither do a lot of readers, but they subscribe anyway because it is so good."

*Ha'aretz* is privately owned and is not obliged to declare its finances, though it is thought to be at least modestly profitable. Its English-language website attracts more readers than both the Hebrew-language print and online editions. Its business section, The Marker, is hugely popular and has helped to boost growth of fully paid subscriptions by some 15 percent over the past few years. At a time when most papers are shutting overseas bureaus, *Ha'aretz* is expanding its presence in New York and California.

As a newspaper that succeeds with smart reporting and good writing, *Ha'aretz* is a model worthy of emulation for a troubled news industry worldwide. But to evaluate it only as a good business plan misses the point. Unique among national newspapers, *Ha'aretz* is both public forum and chronicle of a religious and political movement that has, for good or ill, transformed a region and consumed the world. If the paper has a bias, it is less its liberal sensibility than its appeal to the possible—like Yitzhak Rabin's "calculated risk" for a negotiated peace—over the reflexively negative of our post-9/11 world. By creating a home for opinions and values that are at odds with its own, *Ha'aretz* radiates security in its identity and convictions. And by supporting dialogue with Israel's enemies, it projects confidence in the Jewish state's ability to coexist with its neighbors as just one rational actor among many. At a time when the Zionist movement appears to be content with exchanging one ghetto for another, *Ha'aretz* insists on an Israel that is of the world as well as in it.

"We have an obligation be a factor in Israeli democracy, to play a role in the Zionist enterprise," says Landau. "We can't trim our sails. This is the reason we exist." ■

## LETTERS
CONTINUED

*(Continued From Page 2)*

*Denver*

■ I write to give profound thanks to the soldiers, sailors and marines who courageously shared their stories in "The Other War." I applaud their patriotism, military service, loyalty to their companions and their compassion for Iraqi civilians. I grieve for the burden of guilt they must endure because of unclear rules of engagement and the fog of war. I share that guilt and join them in their appeal to end this needless and cruel war on the Iraqi people. Thanks also to the authors for not letting us forget the human toll that this ill-begotten war has taken on Iraq, our country and our soldiers. MARY D. POOLE

### PHANTASTIC!

*Northfield, Ohio*

■ The Frank Lewis puzzle is my weekly challenge, and the one in the July 30/August 6 issue was no exception. I got all of it, including 1 across—which I finally figured to be "phantasmagorias." Then getting around to the Books & the Arts section, I was amazed to find this quote from Jack London's *The Road*: "In Hobo Land the face of life is protean—an ever changing phantasmagoria…." Would have saved me a lot of time if I had read that first! Not a word you run across (or down!) very often, let alone twice in one issue! BRUCE KRIETE

### NAUGHTY BUT NICE

*Dayton, Ohio*

■ I like the idea suggested by two letter writers in the August 27/September 3 issue, of recycling *The Nation* by leaving it in public places. I've found a fun use for those annoying subscription cards that come in every issue. I wander around my local bookstores and library placing the cards in the books of Ann Coulter, Bill O'Reilly and other right-wing demagogues. (I got the idea from evangelicals who plant their cards in books I want to read.) It's harmless, but it feels naughty. And if I make just one convert, it will have been worth it, eh? MICHAEL COOGAN

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BOOKS & THE ARTS

# The Uninvited Guest

ROGER OWEN

**NAPOLEON'S EGYPT: Invading the Middle East.**
By Juan Cole.
Palgrave MacMillan. 279 pp. $24.95.

Try as we might, it is difficult for most of us to imagine what it's like for a country to be invaded and occupied. Photographs help: pictures of German troops marching down the Champs-Élysées in 1940 with not a Frenchman in sight, pictures taken that same year of a British policeman on patrol with a German officer in the newly captured British Channel Islands. The terrible incongruity of it all, the violation of what seemed the natural order, the sinister sense of foreboding, of a world turned upside down without any of the familiar certainties to hang onto.

Our best bet, though, for understanding what it's like to be on the receiving end of a military occupation by foreign soldiers is to watch films made recently in Iraq from an Iraqi point of view. There the sudden appearance of helicopters, or a checkpoint on the road ahead, or the spectacle of British or American soldiers in battle gear entering a busy square, bring an immediate sense of menace. All at once there is shouting from one side, screaming from the other, the sound of doors being kicked in, orders harshly given (often in a foreign language: English, that is), weapons cocked, shooting and explosions. Such confrontations are hardly more pleasant for the soldiers, who find themselves in a strange place, surrounded by what always seems a hostile crowd. If these men have itchy fingers, it's partly because they are insecure, frightened, angry and scarred from having seen some of their comrades blown to bits.

So it was in Egypt when the country was unexpectedly invaded and occupied by Napoleon's army in the summer of 1798. The French troops first landed in Alexandria before marching—tired, thirsty and beset by Bedouin irregulars—through the towns and villages to Cairo, parts of which soon turned violently against their new occupiers. Then further military expeditions up and down the land, with none of Napoleon's soldiers safe anywhere as the initial efforts to woo the native inhabitants only provoked further ambushes and violent acts of resistance and revenge. As Ahmed Hashim puts it so succinctly in his book *Insurgency and Counter-Insurgency in Iraq*, occupations are resisted simply because they are occupations.

*Napoleon viewed France's invasion of Egypt as a benevolent expedition, a natural part of his country's* mission civilisatrice.

It is Juan Cole's contribution to the already vast literature on the subject that he brings out the brutality of the encounter between European occupiers and a predominantly Muslim Arab population. In most of the historical literature on Napoleon's invasion, the French are depicted not as an invading army but as a benevolent expeditionary force, awakening Egypt from its centuries of sleep. On their so-called *mission civilisatrice*, the French bring the famous savants—the scientists, architects and draftsmen who make sketches of the temples and pyramids, provide pictures and accounts of contemporary Egyptian industrial and agricultural machinery, tell us what Egyptians ate and how they prayed and what they wore. There are battles in such accounts, of course, but even these are presented, from Napoleon himself onward, as short episodes in an otherwise amazing projection of the European

*Roger Owen is the A.J. Meyer Professor of Middle East History at Harvard University. His books include* Cotton and the Egyptian Economy, 1820–1914 *(1969),* The Middle East in the World Economy, 1800–1914 *(1981),* State, Power and Politics in the Making of the Modern Middle East *(1992),* Lord Cromer: Victorian Imperialist, Edwardian Proconsul *(2004) and, with Sevket Pamuk,* A History of the Middle East Economies in the Twentieth Century *(1999).*

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Enlightenment toward an Eastern land.

And so it goes. I have in front of me a book, *Egypt in 1800: Scenes From Napoleon's "Description de l'Égypte"*, published in 1988, whose co-editor, Robert Anderson, onetime honorary secretary of the Egypt Exploration Society, opens his introduction with the assertion that "Napoleon's invasion" was a "romantic alternative to an invasion of Britain"; that everywhere the army went it was accompanied by men like Vivant Denon, the future director of the Louvre, who made quick sketches of the Nile temples along his way; and that the French officer pictured in his uniform in the Alexandria bazaar, a tall shako on his head, "looks no more incongruous than European tourists in the traditional quarters of Egypt's cities today"!

Juan Cole, who combines cool academic scholarship with the more impassioned writing of his daily blog on the Middle East (www.juancole.com), will have none of this: no savants, no Rosetta stone. Instead he proposes to study what he calls "cultural encounters" between peoples from two different worlds: some bloody, some tragic, some predictable, some simply hilarious. This is what makes his approach stand out from the more conventional accounts of the French occupation, such as J. Christopher Herold's still excellent *Bonaparte in Egypt* (1962).

It is unfortunate that, given the paucity of documents that illustrate the Egyptian side of the story, most of Cole's material comes from the French. Nevertheless, Cole, a Middle East historian at the University of Michigan, has mined a number of rich, recently discovered memoirs and letters by some highly literate, highly sensitive members of Napoleon's entourage, mostly soldiers and engineers, whose very different experiences of Egypt do much to bring the personal aspect of these encounters vividly to life.

Not surprisingly, the most intense encounter was the military one. This began even before the French battered their way into Alexandria. The battle then reached full swing as they marched in the summer heat, the most powerful military force the world had yet known, across the desert and down the Nile. Never sure who was attacking, the French troops viewed all their assailants on horseback either as Arabs or Mamluks (not simply "slave-soldiers," as Cole calls them, but the members of an often wealthy military aristocracy based on imported Christian slaves), while those swarming at them on foot, brandishing clubs and swords and spears, were identified simply as peasants. Some Frenchmen drowned themselves in the Nile or blew out their own brains. Others, according to the grenadier Vigo-Roussillon, "were mutilated or carried away by crocodiles." One thing they could not do was go home: British Rear Adm. Horatio Nelson's destruction of Napoleon's fleet at the so-called Battle of the Nile of August 1–2, 1798 (witnessed dramatically through the flashes and the smoke by one of Cole's diarists, Prosper Jollois), had bottled them all up.

Since the French, like the Americans more recently in Iraq, never had enough troops to secure any one place for very long, little battles and skirmishes erupted everywhere: in villages that seemed secure, in tiny boats on the Nile, in even smaller skiffs on Manzala Lake, where local fishermen rose up, emitting what one Frenchman described as "a thousand barbaric cries in a furious tone." Meanwhile, both sides committed acts of brutality, the French burning villages, taking hostages and cutting off the heads of the men they had killed and then mounting them on poles as a warning. Soon Engineer Quartermaster François Bernoyer (in charge of the uniforms department) was writing that "what mortified us most was that Bonaparte used the same methods as the Mamluks."

***Napoleon at the Battle of the Pyramids,* by Philippe Joseph Vallot (1838)**

Some attempts were made to keep count of the casualties: 1,500 Frenchmen died, according to Nicolas Desvernois, during the initial march to Cairo; 3,000 Egyptians were killed during the three-day Cairo uprising of October 1798, with another 300 beheaded. But there was no count of the blinded, the maimed, the soldiers and civilians incapacitated for life.

Then there was the theater of Napoleon's project to turn Egypt into a satellite middle-class republic with a Directoire composed of members of the Egyptian ulema (religious leaders), draped uncomfortably in tricolor sashes or, when they refused to wear them, having tricolor cockades attached to their robes. Incomprehensible proclamations were issued by the French with unknown words like "republic" and written in what Abd al-Rahman al-Jabarti, the famous late-eighteenth-century Egyptian chronicler, had much fun ridiculing for its broken Arabic and infelicitous style. Meanwhile Napoleon scrambled to establish himself as a legitimate Muslim ruler, assumed the name of Sultan El-Kebir (the Great Sultan), presided over religious festivals like the Prophet's birthday and appointed the man to be in charge of one year's pilgrimage caravan. But all to no avail. It was the same gray-bearded Al-Azhar sheiks whom he sought to woo who led the first great urban revolt against him.

Sex was, of course, central to the colonial encounter, given that the army of some 30,000 Frenchmen was accompanied by only 300 Frenchwomen. Cole describes Napoleon's own complicated and somewhat adolescent sex life in some detail. The great man even goes so far as to get his adjutant to spill coffee on the dress of an officer's wife he fancied in order to get her to retire to another room, where he could begin his efforts to seduce her in earnest. But more interesting is the attempt of many of the French letter writers and diarists to purchase pleasure for themselves by buying slave women or pretending to marry them or, in some cases, converting to Islam, as did Gen. Jacques Menou, who renamed himself Abdullah.

Here we get as close to hearing ordinary Egyptian voices as we probably can, subject to the usual male license. While it seems improbable that Bernoyer's pretend wife whispered her bedtime thanks in the form of "My friend, my sultan, my brother, my souk," the bargaining of some of the other women, like the Mamluk widow Zulayma, has more of the ring of truth, as she begs her French lover, Captain Moiret, to "pull me out of this detestable country and lead me to France, if ever destiny calls you there."

Cole, like his French informants, is less sure how to characterize the precise role of Egypt's female entertainers, the *alimas*,

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whom he describes variously as "dancing girls," geishas and belly dancers. He also mentions the plan of one Captain Say to employ them in some of the new civic performances he had been instructed to organize to promote revolutionary ideals among the inhabitants of Cairo, including, Cole writes, that of the liberation of Egyptian women—still a recurring motif in imperial expeditions in the Muslim world. The fact that the word *alima* comes from the Arabic root for "knowledge" does suggest some formal training in the arts. But in Egypt, as Flaubert records in his overheated description of his 1850 visit to one such lady, Kuchuk Hanem, her profession was often identified by the less complimentary title of "prostitute."

Among a host of other encounters that receive briefer treatment are the notably different French and Egyptian attitudes toward the treatment of the plague (the Egyptian methods being the more advanced) and the culinary (Bernoyer found the Egyptian white cheese *gibna bayda* "disgusting"). More controversial still was what might be called the fiscal encounter when, to pay his troops, Napoleon resorted to a whole host of seizures, forced loans and exactions imposed on everyone from the wealthy wives of the dead or departed Mamluks to the poorer members of Cairo's many hundreds of tradesmen's guilds.

And then there was the encounter with Egypt's heat. Napoleon's troops marched in woolen uniforms, carrying heavy packs, through a July heat that sometimes reached as high as 115 degrees Fahrenheit. They were, as Gen. Charles François Dugua put it, "roasted by a sky aflame." They weathered dust storms, flies and mirages—and left behind them a trail of corpses. To make matters worse, their commander, who had no experience of desert warfare, had neglected to provide them with water canteens. In the mad rush for the few wells that had not been spoiled by the local inhabitants, many of the soldiers were simply crushed to death.

Here and there Cole betrays a weaker grasp of Egyptian history. As André Raymond has clearly shown from his study of Egyptian wills, the eighteenth century was not simply one long "disaster," the real economic problems coming only in its last twenty years. Cole is also confused about the notorious problem of so-called land "ownership," better understood as a set of rights involving access to the land and its products. And he seems to think that the shortage of small coins was a particular problem at the time of the French occupation—hence the popularity of French uniform buttons—rather than a centuries-old shortcoming of Middle Eastern mints. There are also too many of Cole's verbal infelicities: "crocs" for Nile crocodiles, Napoleon's "oversexed" Josephine, Napoleon's aide "chatt[ing] up" the husband of the beautiful Madame Fourès while his master tries to seduce her in another room. And some of the claims are, frankly, weird, as when Cole credits the French expedition with inventing both the modern belly dance and modern Egyptian tourism.

*Napoleon's Egypt* covers just the first year of the occupation. After that we can only assume that much the same dynamic that he has previously described as a cycle of "insurgency, terror and peaceful exchange" continued. (Just over two years later, what remained of the French force was winkled out by the British and allowed to sail home in the summer of 1801, without their arms and without the Rosetta stone.) Of course, one can also imagine a learning process by which the French began to replace their overly romantic expectations with the hard-won military/colonial knowledge of a General Petraeus. But as far as I know, no one has yet done this kind of detailed research.

While the exact meaning of this peculiarly modern occupation tended to escape those mostly Egyptian and French academics who attempted to celebrate its 200th anniversary in 1998, Cole's concentration on the military and cultural aspects of the encounter gives it something of a newer and richer contemporary meaning. Much less convincing is his claim that the French occupation of Egypt was the most important cultural encounter between Christian Europe and the Muslim

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TOO ANCIENT TO RESIST THE TRANSITIVE EARTHQUAKES
CAUSING PLATES TO TREMBLE UNTIL INVASIVE UPLIFTS
RESIST PRESSURES FROM A TERRAIN VERY TERRESTRIAL
OF CRUST WHOSE SMOOTH BENDING STRETCH FORCES THE
DOME OF THE BOW INTO AN INFLECTION AND GLACIALLY
SUPERPOSES THE MOTIONS OF ARCHING AS THE REVERSE
STRATIFICATION MOVEMENTS OF INTERLACING ELEMENTS
BIND THE INCONSTANT AGGLUTINATES INTO DISCORDANT
DEPOSITS UNDER LATERAL PRESSURE IN THE TORMENTED
ZONE OF STRIATIONS IN WEIGHTY LAYERS OF REPLICAS
AND FLOOD WAVE-CUT PLATFORMS THAT ACCENTUATE THE
FLEXURE WITHOUT BREAKING ITS LAYERS CONSOLIDATED
AT THE BASE BY A PROFUSION OF INVISIBLE ORGANICS
THAT INSUBSTANTIAL AND TRANSITIVE PROJECTIONS OF
TURBULENCES CONCENTRATE IN SOMBER FRAGMENTS THAT
DETACH UPON CONTACT WITH THE CRYSTALLIZATIONS OF
THE DIVIDED GLOBE THAT THE SLOW START DISMANTLED
CAUSING SUFFERING THROUGH FAST TRANSLATION AFTER
TEMPORARY FLUCTUATIONS AFFECTED BY UNPREDICTABLE
DEFORMATIONS WHOSE CRASHINGS CEASE JUST WHEN THE
PEACEFUL SIMULACRUM OF A REMISSION COMMENCES NOT
LIKE YESTERDAY WHEN EQUILIBRIUMS RUPTURED AT THE
ABANDONED SPACE IN A DARK FRACTURE OF ITS PLINTH

*Michèle Métail*
(*translated from the French by Marcella Durand*)

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Middle East since the Crusades, and that France's moment in Egypt was a world-historical event. "In his often cruel and cynical way," Cole writes, "Napoleon was inventing what we now call 'the modern Middle East,'" a risible claim that, apart from the use of the trendy notion of "invention" itself, suggests that it is open to single great men not only to bring into being new geostrategic concepts at the stroke of a pen but also, *avant la lettre* and regardless of the precise historical period in which they operated, to "pioneer" a "form of imperialism that deployed liberal rhetoric and institutions for the extraction of resources and geopolitical advantage." This formulation makes Napoleon sound suspiciously like George W. Bush, while giving too much weight to an event that, however strange, bloody and bizarre, is important more for its significance in Middle Eastern history than in European. Indeed, the principal result of Napoleon's invasion was not to establish a pattern of colonial domination but to force the region's leaders to respond to the obvious threat posed by this remarkable projection of French military, and then British naval, power.

As for Egypt, many other invasions soon followed. A relatively small British military force landed at Alexandria and was repelled in 1807. Then came hundreds of upper-class British tourists deprived of their usual European grand tour. Then a motley band of archeologists, tomb robbers, cotton merchants and exponents of the supposed aphrodisiac powers of medicines made from crunched-up mummified people and animals. Meanwhile, Egypt's own Napoleon, its new ruler, Muhammad Ali, emerged from the Nile Valley with his new army, levied French-style from the native peasants. Ali would lead his forces into Arabia, Palestine, what became Syria and Lebanon, and the Sudan. And Egypt's occupation of most of its neighbors lasted longer than the French occupation of Egypt.

In a sense, Cole's title is misleading. For as his book suggests from the start, Egypt never was, and never could be, Napoleon's. No less improbable was "Cromer's Egypt," as many referred to it after the British occupation in 1882. Nor could there be "Nasser's Egypt," although Gamal Abdel Nasser had a stronger claim, having rid the country of foreign rulers and foreign occupiers after many centuries. The title (if nothing else) of Paul Bremer's account of his stewardship, *My Year in Iraq*, seems nicely modest by comparison. ■

# Perishable Goods

ROBIN BLACKBURN

**PROPHET OF INNOVATION: Joseph Schumpeter and Creative Destruction.**
By Thomas K. McCraw. Harvard. 719 pp. $35.

Books on the lives of the great economists might not, at first blush, set the blood coursing. Yet Robert Skidelsky's masterly three-volume biography of John Maynard Keynes proved how engrossing such a life could be. It is high praise to say that Thomas McCraw's biography of Joseph Schumpeter, *Prophet of Innovation*, has some of the same quality and appeal. But is Schumpeter really a figure who deserves to be numbered among the great economists?

Leading economists are a bit like academic royalty: They are counselors to our rulers, they have Nobel Prizes to themselves and in Britain the most influential sit in the House of Lords. Keynes and Schumpeter died before either could win a Nobel, but they made up for this by having a far larger impact than most who win the prize. While Keynes's approach shaped the global postwar economy, Schumpeter's explained why capitalism could never be tamed by Keynesian regulation. Keynes rarely spoke of capitalism. Schumpeter believed the concept to be essential to true economic understanding. His two most important books were *The Theory of Economic Development* (1911) and *Capitalism, Socialism and Democracy* (1942). Schumpeter's claim to greatness is that he had great insight into capitalism. Despite living and working in Depression-era America, he was utterly convinced that the great crisis was simply a ground-clearing interlude that would usher in the most prodigious wave of growth in human history.

For much of the twentieth century, mainstream social scientists believed the term "capitalism" was unduly loaded and ideological. They spoke instead of "industrial society" and the "mixed economy"—or they saw no need for any label at all. I can still remember the *frisson* I felt in the late 1970s when I saw a neon sign turning in the Boston night sky reading CAPITALISM WORKS. In Europe at this time only the radical left talked about capitalism. Though far from a leftist, Schumpeter shared with the Marxists and the laissez-faire right an interest in capitalism—and a refreshing candor about naming the system. Indeed, influential exponents of these opposed philosophies learned from Schumpeter, with his focus on the importance of the entrepreneur and on a restless, ruthless accumulation process fostering insatiable appetites and limitless capacities. Like those who erected that sign in Boston, Schumpeter believed that capitalism works, or would work if only politicians gave it a chance.

Schumpeter was born in 1883—the same year as Keynes—and lived only four years longer, dying in 1950. He had a Czech mother and German-speaking father but was raised by his mother in Graz and Vienna. Among the latter city's galaxy of intellectual stars, several—Ludwig von Mises, who would become the co-founder of the free-market school, and the "Austro-Marxists," headed by Otto Bauer, leader of the Social Democratic Party—were preoccupied by the workings of the market, seen as either a rival or a complement to state bureaucracy. Fear of German power, and of the growing strength of a Marxist labor movement, prompted this Austrian interest in capitalism. A sequence of photographs reproduced in McCraw's book show the members of the famous Marx seminar at the University of Vienna led by professor Eugen Böhm-Bawerk, a former imperial finance minister and author of *Karl Marx and the Close of His System* (1899). Schumpeter is flanked by Mises, Bauer and Rudolf Hilferding, the Marxist economist and future German finance minister.

Schumpeter's *Theory of Economic Development* conveyed his conviction that entrepreneurship and competition were constant sources of growth and disruption in capitalist economies. While other economists saw competition as focusing on price, Schumpeter argued that the process also embraced the development of new products and processes, with

*Robin Blackburn, Visiting Distinguished Professor at the New School for Social Research, is the author of* Age Shock: How Finance Is Failing Us *(Verso).*

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often devastating effects on established producers. This was the germ of what he was later to call "creative destruction," the wavelike process in which yesterday's leaders are replaced by those with something radically new to offer, be it the railway, the automobile, the PC or the iPod. Others were so mesmerized by the great trusts, and their apparent power to control the market, that they did not see how vulnerable even the greatest could be if challenged by a new product.

McCraw argues that Schumpeter gives us a keen insight into the world of globalized capitalism, a world built on the ruins of Keynesian-style national economic regulation. Schumpeter sought to explain the behavior of real-life corporations like International Harvester, Bell and Ford. Keynes's *General Theory* does not mention a single firm. While others write patronizingly of "widgets" and the "better mouse trap," Schumpeter sought to chart the dynamics of product innovation.

*Schumpeter gives us a keen insight into the world of globalized capitalism, built on the ruins of Keynesian-style economic regulation.*

But if Schumpeter's work looked forward to the twenty-first century, his early life has an aura of the nineteenth-century *fin de siècle* and *ancien régime*. While still in his 20s he won an appointment to a chair in Czernowitz, an eastern outpost of the Austro-Hungarian Empire, where he found that his students were denied proper access to the library. Challenged to a duel by the school's librarian, he fought to help his students and, not least, to demonstrate his honor—*satisfaktionsfähig*—as an Austrian gentleman. By virtue of his swordsmanship, Schumpeter drew first blood, and the library's collection was made fully available to his students. When he moved from Czernowitz to a chair in Graz, Francis Joseph, the 81-year-old emperor, presided over the ceremony. As a servant of the crown, Schumpeter, like all university professors, wore a civil service uniform during his lectures.

Schumpeter spent time in Britain, Cairo and the United States before the outbreak of war in Europe but returned to Austria in 1914 to pursue his academic career. At the war's close, he was invited by Karl Kautsky to join the "socialisation commission" established by the new Social Democratic German government. Hilferding was also a member and claimed that Schumpeter was far more radical in his proposals than his Marxist colleagues. Later Schumpeter explained that he was curious to see if there really was an alternative to capitalism.

Before long Schumpeter moved back to Vienna, where the Social Democrats offered him the post of finance minister. But he did not last more than four months in the job, stepping down in October 1919. As minister he sought to introduce a swingeing "capital levy"—a steeply progressive tax on capital. His aim was to stabilize the economy, not to expropriate the bourgeoisie. But he arrived too late to avert a crash. McCraw paints a vivid account of the ups and downs of Schumpeter's early career, but extra tidbits can be gleaned from Wolfgang Stolper's 1994 biography of Schumpeter. For example, while still finance minister, he offered to raise the funds needed for a "Counter Revolution" in neighboring Hungary, where Béla Kun's Communists had seized power.

In the early 1920s Schumpeter led a Gatsbyesque existence as Viennese financier and man about town, but he nearly went bankrupt in the second general collapse of 1924. While he comported himself as an aristocrat at the opera and races (as well as on horseback), he married Annie Reisinger, the daughter of the concierge of his swanky apartment on the Ringstrasse. Skillfully drawing on diaries and letters, McCraw gives a poignant account of Schumpeter's devastation following his wife's death in childbirth and of his subsequent lengthy affair with his beautiful young housekeeper and secretary, Mia Stöckel.

Following the ruin of his bank, Schumpeter retreated to academia once again, securing chairs first at Bonn and then at Harvard. After a succession of visiting appointments, he eventually moved to Harvard on a full-time basis in 1932. Schumpeter disliked the Nazis and was soon seeking to arrange appointments in the United States for his Jewish and anti-Nazi German friends. But as he later admitted, he gravely underestimated Hitler. He failed to appreciate both the virulence of the Nazi leader's racial hatreds and the effectiveness of his policies for reviving the German economy by means of rearmament and public works.

During the 1930s Schumpeter worked on a massive study of business cycles but altogether failed to match the timeliness of Keynes's great campaigns of advocacy. Schumpeter agreed with Keynes that a great injection of demand was required, but he was intensely irritated by the English economist's apparent belief that capitalism needed some semipermanent "oxygen tent" if it was to flourish. Schumpeter's study of American economic history convinced him that capitalism's success depended on mass demand. Capitalism had already transformed the lives of ordinary people and, given the right conditions, it could lift the whole globe into a new cycle of prosperity. However, he believed FDR's policies did not help. The US obsession with monopoly and animus against "economic royalism" were misplaced, in his view, because the large companies should be encouraged to engage in nonprice competition and devote large R&D budgets to product innovation.

Schumpeter's work on business cycles was too compendious and complex to have much impact on his colleagues, let alone the general public. But his lively 1942 polemic *Capitalism, Socialism and Democracy* became a bestseller and brought him renown and respect far outside the ranks of economics departments. It was in this book that he gave definitive expression to "creative destruction" as the animating principle of capitalist competition. While admitting that such competition brings ruin to whole industries and regions, he stressed that the accompanying rise of innovating industries will bring new goods within the reach of working men and women. In a revealing example, he argued that capitalism meant that "factory girls" could now wear "silk stockings," garments that only queens could afford in previous centuries. (My mother tells me that nylon was replacing silk by this time, a detail that only confirms the argument of the "prophet of innovation.")

McCraw shows that Schumpeter was, in many ways, a deeply conservative thinker: probusiness, anti–New Deal and anti-welfare. However, in *Capitalism, Socialism and Democracy*, he at least half-conceals this by appearing to defer to the radical and socialist ideas then thriving in the English-speaking world. Schumpeter starts by declaring that capitalism cannot possibly survive. He claims to be equally convinced that a socialist economic system—despite what its critics say—might be workable and compatible with democracy, though only if it adopts many market mechanisms.

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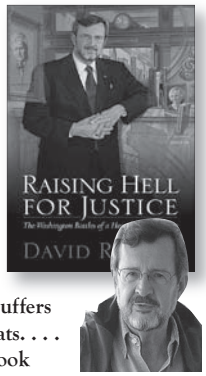


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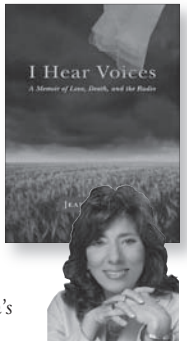


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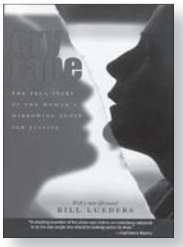

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McCraw sees an Olympian irony at work as Schumpeter patiently proves to the reader that capitalist collapse will come not from another terrible downswing but rather from an overflowing prosperity that will sap business motivation and encourage irresponsible attempts to tamper with capitalism. Schumpeter predicted—with a prescience matched by no other thinker—that the period 1940–2000 would see US per capita incomes rise by 2 percent a year, just as they had done in the sixty years before 1928.

In Schumpeter's view this surge of capitalist prosperity would allow for the solution of all social problems but would also undermine the conditions that made it possible. The motivation of the great business families would be eroded, capitalist growth taken for granted and the anticapitalist moralizing of intellectuals indulged. A drift toward socialism would ensue as governments intervened ever more intimately in the capitalist mechanism. Like Friedrich August von Hayek and Mises, Schumpeter believed in the power of capitalism, but he rejected what he saw as their absurd prejudice against the state, capitalism's necessary handmaiden.

In response to the argument that socialist economies have no reliable mechanism for setting rational prices—the refrain of Hayek and Mises—Schumpeter suggests that the socialists could devise a collectivist economy that makes full use of markets, price signals and even "profit" yet delivers egalitarian and welfare goals. While some of Schumpeter's arguments are mischievous—socialism, he suggests, would be a good way of controlling the unions—there is no denying that he had a lifelong curiosity about different economic arrangements.

One sign of Schumpeter's open-mindedness is to be found in the circle of the brilliant young economists he gathered around him. In 1947 the Socialist Club of Boston invited Schumpeter to debate the future of capitalism with one of his former students, Marxist economist Paul Sweezy (later editor of *Monthly Review*). The chair was taken by Wassily Leontief, and the event was written up by Paul Samuelson (both men later received Nobel Prizes). The Schumpeter circle also included James Tobin, another Nobelist. And notwithstanding his own conservatism, Schumpeter sought to secure appointments for such radical younger economists as Joan Robinson and Nicholas Kaldor. Schumpeter corresponded amiably with Keynes, though each man doubted the achievement of the other.

During and after the war Schumpeter's work acquired growing prestige. He had produced a new and much revised edition of *The Theory of Economic Development* in 1931 and a stream of influential articles. He was an enthralling lecturer and a man of wide culture. In 1948 he was elected president of the American Economic Association. Outwardly jovial and ebullient, he was susceptible to despair and depression, only conquering them by throwing himself into his work. In his American exile he offered up prayers of devotion to his dead wife, Annie, and wrote many letters to Mia Stöckel. Although he knew his letters to Stöckel were opened by the German censors, he did not suppress his criticism of the Nazis. Stöckel pleaded with him to bring her to the States, but according to McCraw, Schumpeter didn't think she would fit in at Harvard. She eventually married a young Serbian political scientist, and in 1942 she and her husband were shot by the Nazis. Schumpeter probably blamed himself for not forestalling this tragic end.

In 1937 Schumpeter married an American economic historian, Elizabeth Boody Firuski, who helped him overcome his continuing private terrors and complete his intellectual projects, especially a massive *History of Economic Analysis* (edited by her and eventually published in 1954). Though highly respectable and admired by colleagues, Elizabeth and Joseph became, following Pearl Harbor, the targets of a lengthy inquisition at the hands of J. Edgar Hoover. They and their friends and associates were repeatedly interviewed by FBI agents, and their activities were watched. Hoover was, of course, prone to suspect European intellectuals, but what fed his paranoia in this case were the couple's Japanese connections.

The Schumpeters had made several trips to Japan. Japanese economists greatly esteemed Joseph's work, translating his books and articles and inviting him to lecture. Elizabeth researched the Japanese economy and argued that Japan's economic achievements were being greatly underestimated. None of this meant that the Schumpeters backed Japanese imperialism, but they did downplay the strength and ambitions of the Japanese militarists and failed to denounce the Nanking massacre. Joseph also looked with great foreboding on the implications of the US wartime alliance with the Soviet Union. In his view this would give dire scope to a primitive and backward Russian imperialism.

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Racial categories appear in Schumpeter's writings, as they do in those of many other thinkers of the time—his argument in *Capitalism, Socialism and Democracy* that socialist ideas will lead to admirable results in Sweden but to misery in Russia is premised on the "racial" inheritance of the two peoples. Schumpeter, though striving to express a logic of cultural evolution, stumbles into a Borat-like ethnic contempt for crude yokels and semicriminal "sub-normals."

The private reflections recorded by the Schumpeters in letters and diaries were very distant from the patriotism and progressivism of the time. McCraw tells us that Joseph's bêtes noires were "Harvard, Roosevelt and the Soviet Union." Hoover's belief that the Schumpeters were agents of Japan or Germany was ludicrous. But as the allies pressed to a triumphant conclusion, Joseph did express sympathy for the German and Japanese peoples and horror at the mass slaughter of civilians in Dresden and Tokyo, Hiroshima and Nagasaki. Joseph still had a house outside Bonn, and his German papers were destroyed in a fire-bomb assault on a residential district in November 1944.

Without doubt Schumpeter is a great economic historian and an essential writer for anyone who wishes to understand capitalism. McCraw, who has written the definitive biography of his subject, supplies many testimonials to Schumpeter's genius and influence from both his day and our own. (In my view he could have added the debate on the transition from feudalism to capitalism initiated by Paul Sweezy, which drew memorable contributions from Maurice Dobb, Rodney Hilton and Eric Hobsbawm.)

Unlike Keynes, Schumpeter was not good at framing policies to tackle specific situations. His strength lay in working out the implications of a policy over time. He thought that Keynesian-style deficit-spending by itself would eventually lead to inflation and stagnation and that it needed to be accompanied by policies to foster and generalize innovation.

Schumpeter's ideas were enthusiastically adopted by Japanese economic planners and informed Japan's extraordinarily successful postwar growth strategy. The capital levy he had vainly sought to apply as finance minister in Austria was successfully used to choke off inflation and cut war profits in occupied Japan. The Japanese strategy of creating markets for new products, with industrial groups investing in R&D and the Ministry of Foreign Trade supplying coordination, echoed

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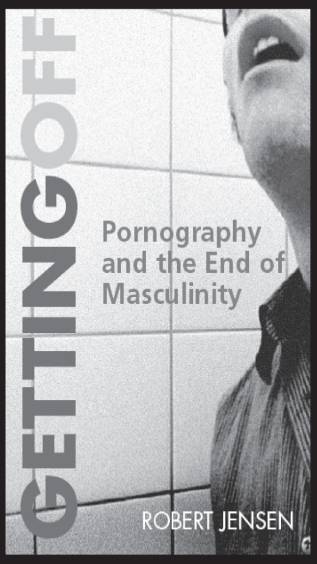

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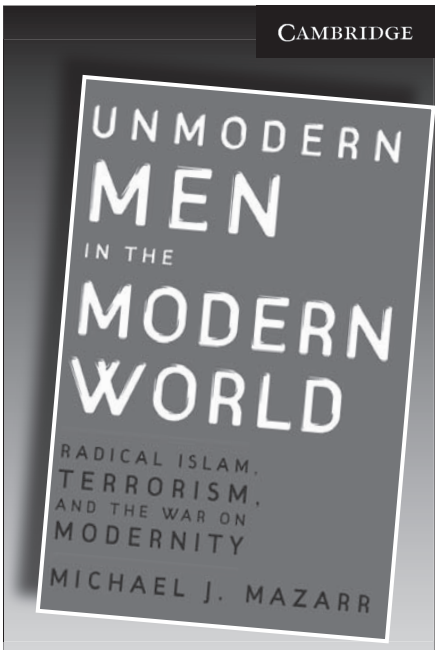


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and confirmed Schumpeter's thinking.

Another country whose development path had a Schumpeterian flavor was Sweden. The so-called Rehn-Meidner model put the accent on industrial innovation and full employment as well as generous social provision. Rudolf Meidner, a Social Democrat refugee from Germany who became chief economist of the LO, the main trade union federation, was certainly familiar with the work of Hilferding and Schumpeter. In Sweden large corporations were allowed to build up tax-free reserves so long as they spent them on R&D. Meidner eventually sought to complete the "Swedish home" with social funds raised by means of a share levy, a gentler version of the capital levy. These "wage-earner" funds were terminated in the early 1990s, thwarting Meidner's aim to promote economic democracy; still, they were used to establish a string of research institutes that have kept Sweden at the forefront of the information economy.

Schumpeter never worked out a rigorous model of his own, and several of the ideas he tossed out were no more than brilliant *jeux d'esprit*. Among twentieth-century economists, Keynes and Hayek made more considerable contributions. But in the twenty-first century, with the disappearance of command economies and of most restraints on capital, the process of creative destruction has taken on planetary dimensions that would surely have shaken Schumpeter, and that now give added interest to his work. Indeed, the very considerable interest of McCraw's book derives not only from the story it tells of a life navigating what Eric Hobsbawm has called the "age of extremes" but from the case it makes for seeing Schumpeter as the most farsighted of twentieth-century economists. His focus on capitalism and creative destruction made him the prophet of globalization.

*Capitalism, Socialism and Democracy* remains well worth reading, although it's best read against the grain of the underlying argument. The book insures Schumpeter a place alongside two other Austrians who understood the market and its limits—Karl Polanyi, author of *The Great Transformation* (1944), which insisted on the social embedding of market forces; and Otto Neurath, the Viennese philosopher who, as financial commissioner in the short-lived Bavarian workers' republic of 1919, became the first public official to insist on the need for carbon rationing. *Capitalism, Socialism and Democracy* serves as a useful foil for the sort of global prospectus that has been attempted, with such disappointing results, by the likes of Thomas Friedman and Niall Ferguson. Seventy-five years on, Schumpeter's work is still a better guide to the world we live in than the shallow quips and complacent jingoism they offer. ■

FILMS

# Grave Thoughts

STUART KLAWANS

**FOREVER • 3:10 TO YUMA**

Everybody in Heddy Honigmann's documentary *Forever* visits the dead, but nobody grieves. As the characters come and go in the principal setting—Paris's Père-Lachaise Cemetery—they stroll, relax on benches, scrub the marble or even sing, and the air remains clear and mild for them, as if Honigmann had made time pause at 10 o'clock on a spring morning. In the trees' shade, a speck of life shines on weathered stone: a ladybug creeping across a graveside sculpture. Views of incised symbols fill the screen, one after another, alongside rows of letters, some formally chiseled, some scrawled by a passing hand: random pages, you'd think, in an illustrated book of consolation.

Which of the dead do the living come to see? Frédéric Chopin, Marcel Proust, Oscar Wilde, the husband of an elderly Spanish woman, Maria Callas, Georges Méliès, Amadeo Modigliani, an Armenian man who designed shoes, Yves Montand, Simone Signoret, a forgotten poet of the nineteenth century, Guillaume Apollinaire, Jean-Auguste Ingres and, repeatedly, Jim Morrison (though his many admirers never seem to get to him). Sometimes, little more than curiosity has drawn the visitors. "Have you read his books?" asks Honigmann, unseen behind

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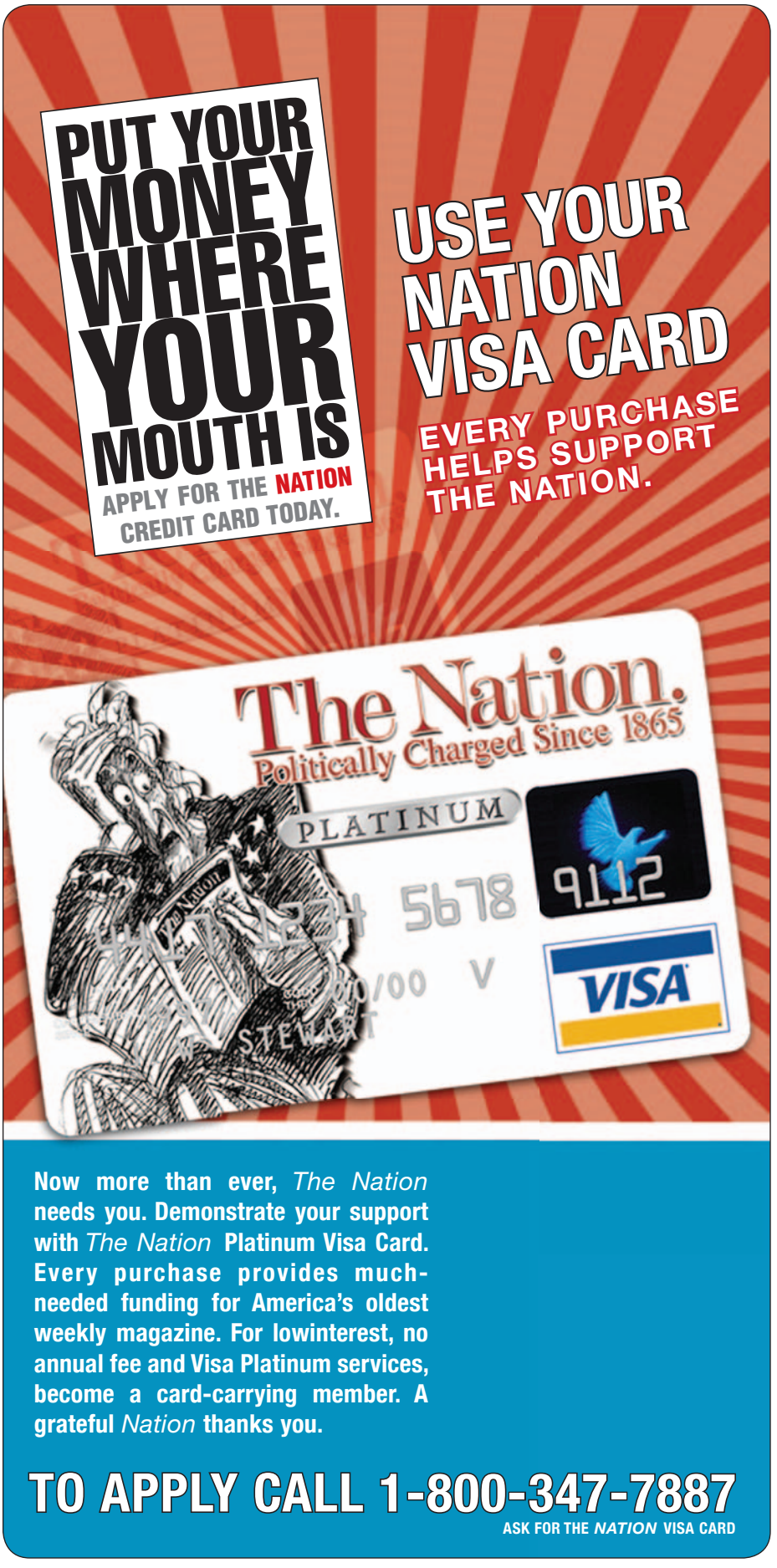
the camera, of a group of French people paying their respects to Proust. The reply comes with a shrug: "It takes a lot of time to read *À la recherche*." More often, though, the people Honigmann encounters feel they share something with the dead. They show it by offering gifts: a pen for Proust (so he can go on writing), a lipstick kiss for Oscar Wilde, a flower in Poland's colors for Chopin. They also talk about this bond, telling Honigmann of their losses.

"Why did you leave Iran?" she asks a lanky middle-aged man whom she's found by the tomb of the writer Sadegh Hedayat. The man thinks for a moment, then quotes a passage from Hedayat's *The Blind Owl*, about going abroad because of weariness with other people. "I was also a bit tired of everything," the man says of Iran, with a sad grin that tells more. And now that he's in Paris, how does he make his living? He drives a taxi—"but my real reason for living, what keeps me alive, is singing Persian classical music." Will he sing something now? No, the man says. It's not the time or place; but Honigmann waits, with the camera running. No, the man says again, trying not to look at her. His voice isn't warmed up; but Honigmann still waits, pulling in for a tighter shot. "What would you like me to sing?" he asks at last. Sitting next to Sadegh Hedayat, the taxi driver takes out his notebook, chooses a poem by Hafez and begins to sigh and sob the lines, and his mournful cry continues even after Honigmann has cut from him to a detail of a memorial statue: the face of a shrouded woman, weeping into her hand.

From this small episode, you may begin to understand that the encounters in *Forever* aren't random at all, even though they're as unforced as the rustling of the leaves. So many of the subjects Honigmann chooses, such as Hedayat and the taxi driver, are people who have left home: the elderly widow who fled Madrid during the civil war; the young man from South Korea who found time to read *À la recherche* (but can't explain why it means so much to him, unless he says it in Korean); pianist Yoshino Kimura, of Japanese ancestry, who plays Chopin (another expatriate) in memory of her father. Like the taxi driver, these people have come to Père-Lachaise to feel closer to someone, most often a celebrated artist; and yet the monuments in these quiet lanes, like the visitors' favorite artworks, represent only what's gone.

"This is the tomb that moves me most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of all," says Bertrand Beyern, a white-haired man who gives tours of Père-Lachaise, as he stands beside the memorial to Elisa Mercoeur. When Mercoeur died at age 26, in 1835, her mother had her poems inscribed on the gravestone. They were to be her immortality. "But now," Beyern says, "it's completely faded." The camera lingers over a pitted surface, haunted by the ghosts of indecipherable letters. "Soon there won't be much left but a few broken stones."

*Forever* is an essay about how people may abide with such loss—seeking it out, savoring it, instead of turning away. If they were artists, perhaps they played with absence, as Georges Méliès did. (Honigmann cannily represents him through one of his trick films, in which he showed himself juggling with his severed head.) If something is continually missing from their lives—the sense of sight, for example—they may make an art out of making do. (Two blind men, visitors to the grave of Simone Signoret, return home with a DVD of *Les Diaboliques*, which they listen to with chortling, speculative delight.) As for Honigmann herself: Toward the end of *Forever*, she demonstrates how a filmmaker may do well to cling to the little she's given, and ignore the vastness that escapes her, by recording one of Kimura's performances of Chopin. Shooting straight across the top of the piano, Honigmann frames a close-up of Kimura's face and simply leaves the camera there for the duration of the nocturne. A lesser filmmaker might have cut away to the hands, the expression of a listener, a photograph of the pianist's father; but Honigmann knows that the information you need, and all the emotion, are present in Kimura's intent features, which don't even stay in the frame. They sway in and out—and this corporeal ticking, this swing between here and gone, feels like climax enough.

It's been a long summer, my movie friends. Diversions, reports, polemics, come-ons and a plentiful supply of time-wasters have filled the theaters. Now, at last, comes a film that was made for love. I'd almost forgotten what I was missing until Honigmann reminded me—but that, of course, is what *Forever* is all about.

A First Run/Icarus Films release, *Forever* will be on view in New York at Film Forum, September 12–25.


# EVENTS

**NEW YORK**

## The Secular Society & Its Enemies

■ November 9–11: Join Christopher Hitchens, Alan Dershowitz, Peter Singer, Neil deGrasse Tyson, Wendy Kaminer and other renowned speakers at the Center for Inquiry's 2007 conference on religion, secularism and politics. Events will take place at the New York Academy of Sciences at 7 World Trade Center, overlooking the Freedom Tower construction site. VIP reception Friday evening, November 9. Register at www.centerforinquiry.net/secularsociety or by calling (718) 636-4869 ext. 308.

## Universal Health Care Foundation of New York

■ Inaugural reception, October 30, 5–7 PM, at Local 1199 SEIU, 330 West 42nd Street. Come and honor outstanding leaders and organizations that have contributed greatly to the universal healthcare movement: Assemblyman Richard Gottfried, Dr. Oliver Fein and the NY State Nurses Association. For invitations to the reception and information about the foundation: loulevi@aol.com.

## Taking on the Torturers

■ Join the War Resisters League's 42nd Annual Peace Award gala, celebrating The Center for Constitutional Rights and The Torture Abolition & Survivors Support Coalition International for their leading roles in defense of human rights. With Dianna Ortiz, Michael Ratner, Daniel Berrigan, The Welfare Poets and other special guests. Hosted by Deepa Fernandes. Friday evening, September 28, New York Society for Ethical Culture, 2 West 64th Street. Program: $10; reception tickets offered on sliding scale. Info: warresisters.org or (212) 228-0450.

## Cross the Brooklyn Bridge With the Grannies

■ Join the Granny Peace Brigade, Grandmothers Against the War and Raging Grannies on Sunday, September 9, for our Grandparents Day celebration. The annual walk across the Brooklyn Bridge will kick off an intense week of activism across the country to pressure Congress to cut off funding for the occupation of Iraq in anticipation of the Petraeus report on September 15. Meet at the William Gaynor Statue in Cadman Plaza Park on the Brooklyn side of the bridge at 10:45 AM; the trek across the bridge will begin at 11:15 AM. We will arrive on the Manhattan side about 12:30 PM, and there will be street theater, speeches from important dignitaries and a press conference. Those of you who can't do the full bridge walk can join us at any point on the bridge or on the Manhattan side. We will begin walking to Ground Zero about 2 PM. We would love to have grandchildren join our march. Bring noisemakers for them (and you) to add to the colorful parade we will create with our giant black balloons inscribed in white with the words TROOPS HOME NOW. This is a very serious mission. Help us protest a terrible war.

**WASHINGTON, DC**

## Christian Clergy for Impeachment

■ September 15: Members and friends of CCFI will meet on the Mall at the ANSWER Coalition Rally in a location bearing the group's website banner. To help achieve the goal of the rally—attendance of more than a million antiwar activists—we urge all signatories of CCFI to attend for a day of sweet solidarity. If you can help with fliers, communications, refreshments, bumper stickers, etc., please e-mail the address on the "contact" page at www.christianclergyforimpeachment.com.

*The advertising deadline for Events is every Thursday. Rates: $210 for 50 words; $260 for 75 words, additional words (above 75) $2.00 each. To place an ad, call Leigh at (212) 209-5414.*


When the original *3:10 to Yuma* was released in 1957, directed by Delmer Daves, reviewers were quick to liken it to *High Noon*. Both were claustrophobic pictures—the former confined to a town under impending siege, the latter set mostly in a Wild West hotel—and both worked toward a deadline: a showdown on Main Street in *High Noon*, a meeting with a prison train in *3:10 to Yuma*. The tone was moral, the theme was communitarian and the good, true wife was always there to plead with her man.

The new *3:10 to Yuma*, directed by James Mangold, claims the same Elmore Leonard story as its source; but instead of inviting comparison to *High Noon*, it's closer in spirit to a different kind of Western from that period. Here most of the action happens on the trail, where men who have no reason to trust one another must nevertheless traverse dangerous territory together. Budd Boetticher's *Ride Lonesome* might be the best example of this starker, more brutal tale, in which community, at best, is a scattering of canvas lean-tos around a brothel, and morality matters very little compared with individual willpower.

The strongest will in Mangold's *3:10 to Yuma* belongs to Russell Crowe—just the actor you'd want for a killer who's most dangerous when he's quiet, eyes lowered and big, round jaw working thoughtfully. With his thick slab of a torso and squared-off mug, Crowe long ago proved he had the gift of being brutal (witness *Romper Stomper* and *L.A. Confidential*); but he could convey wit and intelligence as well, though usually in a tormented vein (witness *L.A. Confiden-*

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*tial* again or *The Insider* or *A Beautiful Mind*). Now, starring in *3:10 to Yuma* as the boss of a gang of stagecoach robbers, Crowe gets to be self-confidently intelligent in his brutality: both the smartest man in any situation and the most ruthless. "You're not all bad," a young man says to him at one point, half in admiration, half in hope that he won't be killed; to which Crowe replies, convincingly, "I am all bad. I'd have to be, to lead a gang of men like that."

His antagonist, whose will proves almost as strong, is Christian Bale—just the actor you'd want for a good, honest man who's wounded, half-starved, driven, obsessed and perpetually covered in dirt. You could have seen Bale play such a character in *Batman Begins* or (with equal conviction but to less effect) in this summer's *Rescue Dawn*. In *3:10 to Yuma*, Bale gets to exercise his strange talent for power through self-abasement by playing an impoverished rancher who agrees to take Crowe to the prison train: a job that pays $200, as recompense for suicide.

If I were a director, I wouldn't want to cross either of these guys: the master of the glower and the prince of the sudden, insane grin. Mangold wisely stays out of their way, with the result that *3:10 to Yuma* is the least posturing film he's made. The studiousness, or maybe affectation, that has informed Mangold's visual style has now been applied to the reproduction of classic Western moviemaking—the hat tipping up to reveal a man's eyes, the camera tracking bad guys on their quick route through town, the chiaroscuro of a campfire scene, the long, long vista marked by a line of approaching horsemen. Mangold is faithful to these images not just in form but in spirit, making *3:10 to Yuma* one of the rare recent American films that deliver what you'd expect from a genre movie: something easy to watch.

The difficulty may be to understand the point of what you're watching. When the excitement is over, *3:10 to Yuma* has proved something we all know to be true: The strong prevail. It has also suggested something that most of us hope: that those who don't prevail may still be respected for their own kind of strength. If this isn't exactly a cynical viewpoint, it's not very comforting, either. Which character would you rather be: the one who gains grandeur with his mounting ruthlessness or the one whose most responsible gesture is an act of surrender? I would prefer to imagine other choices, but there's just enough truth in the choice shown here to break your heart—a little. ■

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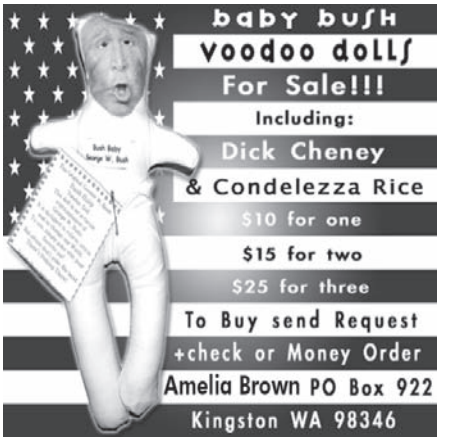


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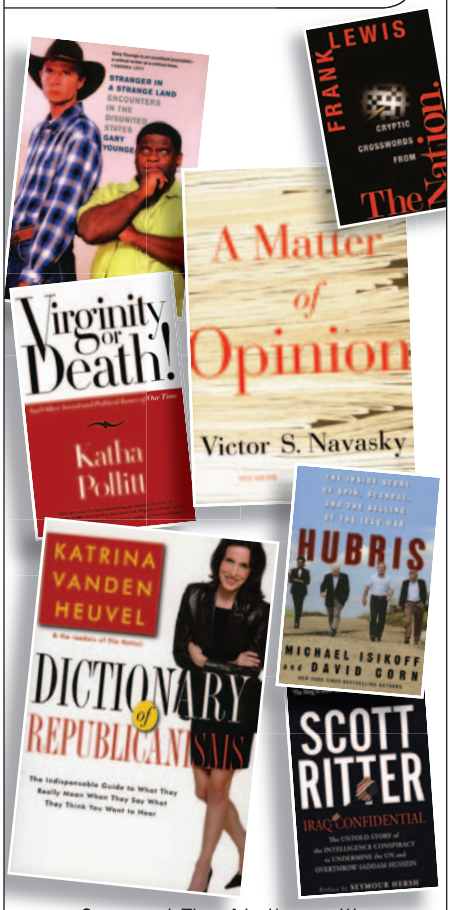


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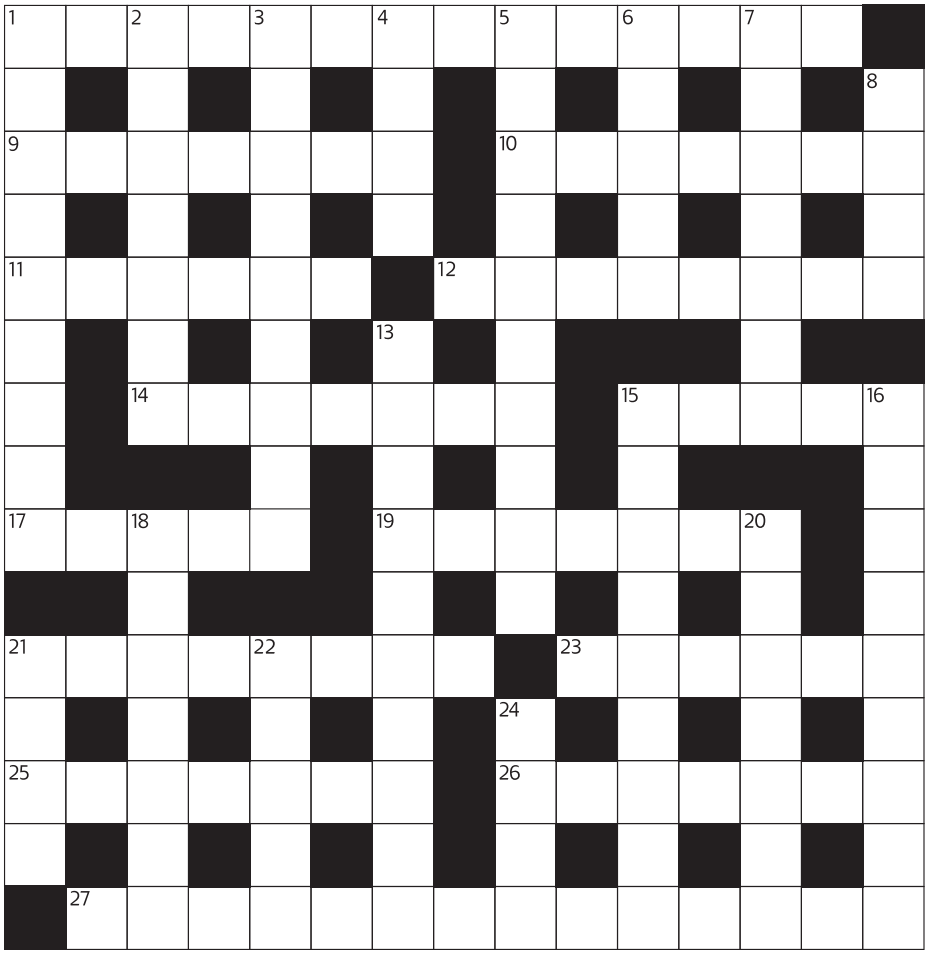
# PUZZLE NO. 3095

FRANK W. LEWIS



## ACROSS

**1** Where the GIs got their mail to officially enter, and in Paris I holler to your starting out in a "pardon me" fashion. (14)

**9** It's not very important, but the trip doesn't end quietly with a little glass of it…(7)

**10** …and if "A" were "I," and vice versa, it would be 9, and hard work. (7)

**11** The river gets a little shelter, making it rather forceful. (6)

**12** and **23** An important New York crossover, sold to the green. (8,6)

**14** and **22** down (Gulp!) Closely follows certain coats. (12)

**15** One hears it's what tourists go to see, the location of public buildings. (5)

**17** Though they tie things together musically, they could be rather insulting… (5)

**19** …with such music able to say goodbye, as the British say. (7)

**21** Ali was self-proclaimed to be. (8)

**23** See 12

**25** Where one might expect to find an olive in an old English gun. (7)

**26** Does it have an odor that would make you go mad? (7)

**27** Sort of shop to get a quiet sort of horse, having just a penny! (It should be illuminating!) (14)

## DOWN

**1** They are certainly not quick examinations! (9)

**2** The river rises with one having a bad seat here—but such could put you to sleep. (7)

**3** Japanese or Chinese, for example, showing off their rugs? (9)

**4** Sleep upside down, without a sign of quietness—being possibly pickled. (4)

**5** Not moving around a sort of junction, but having a final drink—as a way to get a couple of things mixed up. (10)

**6** We're supposed to remember this place, but with an addition of the French, it would be according to the style. (5)

**7** What might be on the tree, permitted to be something freely distributed. (7)

**8** One of those things that go oft agley, said R.B. (4).

**13** More formally one of a type that could be found under a chestnut tree that has a spread. (10)

**15** Not genuine stones, but found in the place to look for a colleen. (9)

**16** The condition that fits half the adult population to a T—but it may not be the best thing for you to get every month! (9)

**18** Make a run the hard way, and get in a few digs. (7)

**20** It's a sign of relatively slow movement, also a way to put something in the pot. (7)

**21** Said to be beaten by the loquacious, in a smug way. (4)

**22** See 14 across

**24** One doesn't expect to get the truth from what might be a rail smashup. (4)

**PUZZLED?** No more cross words! See www.thenation.com/about/crossword.mhtml.

## SOLUTION TO PUZZLE NO. 3094

| | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| S | T | R | A | I | G | H | T | ■ | T | I | C | K | E | T |
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| O | S | C | A | R | ■ | N | A | S | H | V | I | L | L | E |
| N | ■ | H | ■ | A | ■ | E | ■ | O | ■ | O | ■ | L | ■ | H |
| E | Y | E | L | E | S | S | ■ | P | R | I | V | Y | T | O |
| S | ■ | R | ■ | L | ■ | T | ■ | O | ■ | C | ■ | ■ | ■ | L |
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# Found! The Last Morgan Silver Dollars

## Amazing Discovery Hidden in Midwest Farm Cellar

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*Originally U.S. Silver Dollars were minted and stored in 1,000-coin canvas bags by the Mint.*

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By all rights these silver dollars should have been destroyed decades ago. Government silver melt-downs, including the 1918 Pittman Act, which alone destroyed 270 *million* Morgans, have decimated supplies. Millions more were called in by the government and melted for their silver content between 1921 and 1965. Today private hoards account for virtually all the surviving coins. And of those, only a fraction survive in Brilliant Uncirculated condition highly coveted by collectors.

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These last year 90% pure silver beauties still dazzle with their Mint luster and heft. Weighing in at 26.73 grams and a diameter of 38.1mm, they are the largest American silver coins ever to circulate. Struck from silver mined from the western Mother Lode, they are the legendary coins that built the West. Master engraver George T. Morgan fashioned a radiant profile of Lady Liberty and a majestic eagle as symbols of our nation's strength and prosperity. Today, the long-gone Morgan silver dollars are among the most sought-after coins in America.

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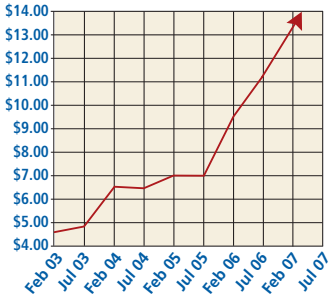

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